

**RESOLUTION No. 17-64**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AWARDED INVITATION TO BID #2017-02, "CANAL BANK STABILIZATION YEAR 5A," TO ENCO ENGINEERING CONSTRUCTION, LLC, THE LOWEST, MOST RESPONSIVE AND RESPONSIBLE BIDDER; APPROVING AN AGREEMENT BETWEEN THE CITY AND ENCO ENGINEERING CONSTRUCTION, LLC, IN AN AMOUNT NOT TO EXCEED \$2,161,293.50, FOR CANAL BANK STABILIZATION AT THE DRESSELS CANAL ALONG NW 41 STREET BETWEEN NW 87 AVENUE AND THE PALMETTO EXPRESSWAY, AND ALONG NW 107 AVENUE BETWEEN NW 52 STREET AND NW 57 STREET; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE NEXT LOWEST BIDDER SUCCESSIVELY IF AN AGREEMENT CAN NOT BE NEGOTIATED WITH THE TOP BIDDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, City of Doral (the "City) completed the Canal Feasibility Study in March 2008 in which the City's canals were studied and classified based on severity of erosion; and

**WHEREAS**, as part of the feasibility study a canal Capital Improvement Plan (CIP) was created; and

**WHEREAS**, the City issued Invitation to Bid (ITB) #2017-02, titled Canal Bank Stabilization: Year 5a (the "ITB"), for which the City received four (4) response by the March 22, 2017 submittal deadline, with all four (4) meeting the required criteria; and

**WHEREAS**, upon review of bids received, staff determined that ENCO Engineering Construction, LLC was the lowest most responsive and responsible bidder (the "Contractor"); and

**WHEREAS**, a copy of Contractor's Bid Submittal, which includes the "Construction Agreement", in substantially the form provided, the ITB Inventory, and Bid Tabulation are all

attached as Exhibit "A", which is incorporated herein and made a part hereof by this reference; and

**WHEREAS**, staff has recommended that the City Council award the ITB to the Contractor, approve the Construction Agreement with Contractor in a not to exceed amount of \$2,161,293.50, which includes a 10% contingency to address any unforeseen conditions, and authorize the manager to execute the Construction Agreement and to expend budgeted funds in furtherance hereof.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

**Section 2. Award.** ITB #2017-02, for Canal Bank Stabilization Year 5A, is hereby awarded to Enco Engineering Construction, LLC, the lowest, most responsive and responsible bidder, subject to entering into an agreement with the City. This award, in and of itself, does not vest Enco Engineering Construction, LLC or any bidder with any contractual rights.

**Section 3. Approval.** The Construction Agreement between the City and Contractor for the Project, in the amount of \$2,161,293.50 which includes a 10% contingency to address any unforeseen conditions, in substantially the form provided in Exhibit "A", which is incorporated herein and made a part hereof by this reference, is hereby approved together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is hereby approved.

**Section 4. Authorization.** The City Manager is authorized to negotiate and enter into an agreement with the next highest ranked firm successively, if an agreement cannot

be entered into with Contractor, provided the next bidder accepts the contract amount approved above. The City Manager is further authorized to execute the Construction Agreement and expend budgeted funds on behalf of the City in furtherance hereof.

**Section 5. Implementation.** The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

**Section 6. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Fraga who moved its adoption.  
The motion was seconded by Councilmember Rodriguez and upon being put to a vote, the  
vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Not Present at Time of The Vote
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 12 day of April, 2017.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, CMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.  
CITY ATTORNEY