

**PROFESSIONAL AGREEMENT BETWEEN
THE CITY OF DORAL
AND
Southeast Highway Guardrail and Attenuators, LLC
FOR
ITB 21-22-036 Guardrail Replacement and Installation**

This Agreement ("Agreement") made up this 17th of January 2023, by and between the City of Doral, Florida, a municipal corporation of the State of Florida ("City") and Southeast Highway Guardrail and Attenuators, LLC having its place of business at 7760 Hooper Rd, West Palm Beach, FL 33411, for the provision of guardrail replacement and installation.

WHEREAS, pursuant to section 2-322 of the City code, staff has recommended the City enter into an agreement with Southeast Highway Guardrail and Attenuators, LLC , via City of Miami Gardens contract No. 21-22-036 for guardrail replacement and installation; and

WHEREAS, the City of Miami Gardens Contract was awarded pursuant to an ITB# 21-22-036 dated November 30, 2022; and

WHEREAS, on January 11, 2023, the Mayor and the City Council members adopted Resolution No. 23-06 authorizing the City Manager to enter into an agreement with Southeast Highway Guardrail and Attenuators, LLC for guardrail replacement and installation, based on the City of Miami Gardens Contract.

NOW THEREFORE, in consideration of the mutual covenants set forth in this Agreement, the parties agree as follows:

Section 1. **Recitals.** The above recitals are true and correct and incorporated herein.

Section 2. **Agreement.** The City of Doral and Southeast Highway Guardrail and Attenuators, LLC agree on guardrail replacement and installation, based on the City of Miami Gardens, contract No. 21-22-036. This Agreement is valid from November 30, 2022 through November 29, 2025 with the option to renew for an additional three (3) one-year (1) periods under the same terms, conditions, and prices. Option to renew for additional periods between the City of Doral and Southeast Highway Guardrail and Attenuators, LLC can only be exercised if City of Miami Gardens renews the agreement with Southeast Highway Guardrail and Attenuators, LLC each additional year.

Section 3. **All terms, conditions, exhibits, documents including but not limited to the Notice of Award letter, Contract Award and Tabulation ITB# 21-22-036 which includes unit prices included and or referenced in the City of Miami Gardens contract No. 21-22-036 are incorporated in this agreement.**

Section 4. **Contractor agrees to perform the services upon the terms and conditions set forth in the City of Miami Gardens Contract. All terms and conditions set forth in the City of Miami Gardens Contract are adopted and incorporated herein.**

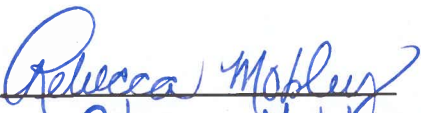
Section 5. Governing Law and remedies shall be amended as follows: "The validity of this agreement and any terms and provisions as well as all rights and duties of the parties here under shall be governed by the laws of the State of Florida and the venue shall be Miami-Dade County" as provided for in the City of Miami Gardens Contract.

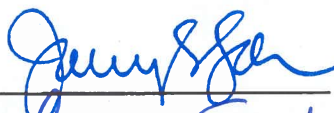
Section 6. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original and such counterpart shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties execute this Agreement on the respective dates under each signature:

WITNESSES:

Southeast Highway Guardrail and Attenuators, LLC,

By: 
Name: Rebecca Mobley

By: 
Name: Barry Snyder
Title: CEO

ATTEST:

CITY OF DORAL


Connie Diaz, City Clerk

By: 
Barbara Hernandez, City Manager

Approved as to Form and Legal Sufficiency for the Use
And Reliance of the City of Doral Only:


Luis Figueredo, City Attorney

RESOLUTION No. 23-06

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE ADOPTION OF THE CITY OF MIAMI GARDENS CONTRACT No. 21-22-036 FOR GUARDRAIL REPLACEMENT AND INSTALLATION AS REQUIRED, IN AN AMOUNT NOT TO EXCEED ANNUAL BUDGETED FUNDS FOR THESE SERVICES; AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND TO EXPEND BUDGETED FUNDS IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral Public Works Department (PWD) seeks to adopt a guardrail replacement and installation contract; and

WHEREAS, in order to establish the repair/replacement of damaged guardrails in the most cost effective and expeditious manner, the PWD would like to procure parts and service via the City for Miami Gardens Invitation to Bid (ITB), No. 21-22-036; and

WHEREAS, this adoption will allow the City to benefit from the prices that City of Miami Gardens pays for guardrail parts and will ensure their availability; and

WHEREAS, cost, fast service and availability of parts are some of the most important factors in ensuring an efficient guardrail installation; and

WHEREAS, the PWD respectfully requests the City Council to authorize the City Manager to adopt the City of Miami Gardens Contract No. 21-22-036 for Guardrail Replacement and Installation which was awarded as a result of a competitive bidding procedure similar manner to that set forth in Chapter 2, Article V, of the City's Code of Ordinances, and authorize the City Manager to expend in amount not to exceed annual budgeted funds, for the period set forth in City of Miami

Gardens Contract and any approved additional subsequent extensions; and

WHEREAS, funding for this request is available in the current Fiscal Year 2022-23 in the Public Works Fund – “Contractual Services – Guardrails”, Account No. 001.80005.500340, and will be budgeted in subsequent Fiscal Years.

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

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Approval. The City Council of the City of Doral hereby authorizes the City Manager to adopt the City of Miami Gardens Contract No. 21-22-036 for the Guardrail Replacement and Installation, as required, pursuant to Section 2-322 of the City’s Code of Ordinances, in an amount not to exceed annual budgeted funds.

Section 3. Authorization. The City Manager is authorized to adopt the contract and expend budgeted funds on behalf of the City in furtherance hereof.

Section 4. 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 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Vice Mayor Pineyro who moved its adoption.

The motion was seconded by Councilmember Puig-Corve and upon being put to a vote, the vote was as follows:


Mayor Christi Fraga	Yes
Vice Mayor Rafael Pineyro	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Maureen Porras	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 11 day of January, 2023.




CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

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



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY