

**AGREEMENT BETWEEN
THE CITY OF DORAL, FLORIDA
AND
Southeast Highway Guardrail and Attenuators, LLC**

This Agreement ("Agreement") made up this 14th of January 2021, 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. 19-20-019 for guardrail replacement and installation; and

WHEREAS, the City of Miami Gardens Contract was awarded pursuant to an ITB# 19-20-019 dated September 14, 2020; and

WHEREAS, on January 13, 2021 the Mayor and the City Council members adopted Resolution No. 21-21 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. 19-20-019. This Agreement is valid from September 14, 2020 through September 14, 2022 with the option to renew for an additional three (3) one-year (1) periods under the same terms, conditions, and prices.

Section 3. All terms, conditions, exhibits, documents including but not limited to the Notice of Award letter, Contract Award and Tabulation ITB# 19-20-019 which includes unit prices included and or referenced in the City of Miami Gardens contract No. 19-20-019 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: Brittany Bergman

By: 
Name: Barry S. Snydler
Title: CEO

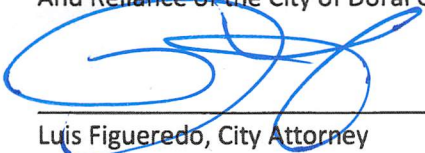
ATTEST:

CITY OF DORAL


Connie Diaz, City Clerk

By: 
Albert Childress, 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. 21-21

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 RELATING TO INVITATION TO BID No. 19-20-019 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 damage 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. 19-20-019; and

WHEREAS, this adoption will allow the City to benefit from the discounted 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 for the Invitation to Bid (ITB), No. 19-20-019 which was completely bid in a similar manner to that set forth in Chapter 2, Article V, of the City's Code of Ordinance for the Guardrail Replacement and Installation, 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 from Fiscal Year 2020-21 in the Public Works Fund – “Contractual Services–Guardrails”, Account No. 001.80005.500340.

NOW, THEREFORE, BE IT RESOLVED BY 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 for the Invitation to Bid (ITB), No. 19-20-019 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 Councilmember Mariaca 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 Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 13 day of January, 2021.




JUAN CARLOS BERMUDEZ, 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