

**RESOLUTION NO. 2023 – 4087**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING THE PURCHASE OF ADDITIONAL CITYWIDE ASPHALT PATCHING SERVICES ON AN AS-NEEDED BASIS FROM OVAS & CO, LLC FOR FISCAL YEAR 2022-23 IN AN AMOUNT NOT TO EXCEED \$50,000; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on December 12, 2022, the City Council adopted Resolution No. 2022-4053, approving the issuance of a purchase order to Ovas & Co, LLC (the “Vendor”) for citywide asphalt patching services (the “Services”) on an as-needed basis for fiscal year 2022-23 in an amount not to exceed \$25,000; and

**WHEREAS**, the Vendor has historically provided the City with the Services on an as-needed basis; and

**WHEREAS**, the City desires to utilize the Services of the Vendor to make additional repairs on an as-needed basis for fiscal year 2022-23 (“Additional Repairs”) in an amount not to exceed \$50,000, for a total not to exceed of \$75,000 for fiscal year 2022-23; and

**WHEREAS**, the City Manager recommends that the City Council waive the competitive procurement requirements of the City Code pursuant to Section 31-11(E)(6)(g) of the City Code for the purchase of the Services for the Additional Repairs as being in the best interest of the City; and

**WHEREAS**, the City Council desires to approve the purchase of the Services for the Additional Repairs from the Vendor for fiscal year 2022-23 in an amount not to exceed \$50,000 pursuant to Section 31-11(E)(6)(g) of the City Code; and

**WHEREAS**, the City Council finds that this Resolution is in the best interest and welfare of the residents of the City.

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

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

**Section 2. Approval.** That the City Council hereby approves the purchase of the Services for the Additional Repairs from the Vendor for fiscal year 2022-23 in an amount not to exceed \$50,000 pursuant to Section 31-11(E)(6)(g) of the City Code.

**Section 3. Waiver.** That the City Council hereby waives the competitive procurement requirements of the City Code pursuant to Section 31-11(E)(6)(g) of the City Code for the purchase of the Services for the Additional Repairs as being in the best interest of the City.

**Section 4. Authorization.** That the City Council hereby authorizes the City Manager to execute any purchase order or required documentation for the purchases described in this Resolution, subject to approval by the City Attorney as to form, content, and legal sufficiency, and to expend budgeted funds in an amount not to exceed \$50,000, for a total not to exceed of \$75,000 for fiscal year 2022-23.

**Section 5. Effective Date.** That this Resolution shall be effective immediately upon adoption.

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

|   |               |
|---|---------------|
| Vice Mayor Jorge Santin                 | <u>YES</u>    |
| Councilmember Jacky Bravo               | <u>YES</u>    |
| Councilmember Dr. Victor Vazquez, Ph.D. | <u>YES</u>    |
| Councilmember Dr. Walter Fajet, Ph.D.   | <u>YES</u>    |
| Mayor Maria Puente Mitchell             | <u>ABSENT</u> |

PASSED AND ADOPTED this 8<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
MARIA PUENTE MITCHELL  
MAYOR

ATTEST:

  
\_\_\_\_\_  
ERIKA GONZALEZ, MMC  
CITY CLERK



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

A handwritten signature in blue ink, appearing to read "Hayden", written over a horizontal line.

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