

**RESOLUTION NO. 2006-**

**A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING IMPROVEMENT OF THE PLAYING FIELD WHICH IS UTILIZED BY THE VILLAGE AT THE KEY BISCAYNE COMMUNITY SCHOOL; AUTHORIZING CONSTRUCTION OF PLAYING FIELD IMPROVEMENTS; AUTHORIZING CONTRACT BETWEEN THE VILLAGE AND PROTURF, INC. FOR CONSTRUCTION WORK ON PLAYING FIELD IMPROVEMENTS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 3.07(b) of the Village Charter, the Village Council desires to authorize the expenditure of Village funds for the construction of playing field improvements (the "Project"), upon lands utilized by the Village pursuant to Agreement with the Miami-Dade County School Board at the Key Biscayne Community School facility of the School Board, as described in the Village Manager's Memorandum, marked as Exhibit "A" and attached hereto; and

**WHEREAS**, it is necessary to expeditiously proceed with the construction of the Project; and

**WHEREAS**, the Village Council finds, upon advice from the Village Attorney, that competitive bidding procedures for the construction work may be waived by the Village Council pursuant to Village Code Section 2-85 upon the Council finding, as is hereby found, that it is impractical to apply such competitive bidding procedures in light of the need to expeditiously complete the playing field improvements, and that public bidding is not mandated by state law, for this construction project of a construction cost of not more than Two Hundred Thousand and No/100 (\$200,000.00) Dollars; and

**WHEREAS**, the Village Council finds that it is in the best interest of the Village to proceed as indicated in this Resolution.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed.

**Section 2. Work Authorized, Specification of Funds.**

A. That the construction activities for the playing field improvements (the "Improvements") as described herein and in Exhibit "A", attached hereto, are hereby approved and authorized, subject to the condition that the construction cost of the Improvements shall not be more than Two Hundred Thousand (\$200,000.00) Dollars.

B. That the funding source for the Project shall be that which is specified in Exhibit "A".

**Section 3. Agreement Approved.** That the Village Manager is hereby authorized to enter into an Agreement with Proturf, Inc., for the construction work (the "Agreement") in a form and substance approved by the Village Attorney, which is consistent with the standard format routinely used by the Village and is consistent with the requirements of this Resolution, and such Agreement is hereby approved, subject to approval of the Village Attorney as to form and legal sufficiency.

**Section 4. Implementation.** That the Village Manager is hereby authorized to take any and all action which is necessary to fully implement the purposes of this Resolution, the Agreement and the Improvements.

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

PASSED AND ADOPTED this 13th day of June, 2006.

ATTEST:

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MAYOR ROBERT OLDAKOWSKI

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CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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VILLAGE ATTORNEY

103.001/Resolutions/Authorizing Resolution for Improvements of Playing Field 4.27.06