

RESOLUTION NO. 2007- _____

A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, CONCERNING STREET LIGHTING FOR GRAPE TREE DRIVE (THE "PROJECT"); AUTHORIZING THE PROJECT; AUTHORIZING AGREEMENT BETWEEN THE VILLAGE AND FPL FOR DESIGNING, SUPPLYING AND INSTALLING STREET LIGHTING EQUIPMENT; 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 installation of equipment and related services (the "Equipment") for public street lighting, upon public right-of-way at Grape Tree Drive which right-of-way is owned or controlled by the Village; and

WHEREAS, it is necessary to expeditiously proceed with the procurement and installation of the Equipment by FPL; and

WHEREAS, any Village competitive bidding procedures for the Project 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 installation of the Equipment, and of the unique ability of FPL to design, install and provide the Project facilities and that public bidding is not otherwise mandated by state law; 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 Project is hereby approved and authorized, subject to the condition that the cost shall not be more than Fifty Thousand (\$50,000.00) Dollars.

B. That the fund amount and source for the Project is hereby authorized and approved as described in the Village Manager's memorandum which accompanies this Resolution.

Section 3. Agreement Approved. That the Village Manager is hereby authorized to negotiate and enter into an Agreement with FPL for the accomplishment of the Project (the "Agreement") in a form and substance approved by the Village Attorney, which is consistent with the standard format routinely used by the Village for such purpose 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 Project transaction.

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

PASSED AND ADOPTED this __ day of ____, 2007.

ROBERT VERNON, MAYOR

ATTEST:

CONCHITA H. ALVAREZ, CMC
VILLAGE CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Village Attorney

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