

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2010-280**

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER PURSUANT TO SECTION 2-583 TO WAIVE THE PROCUREMENT CODE TO AWARD A CONTRACT TO CHERRY LAKE TREE FARM FOR THE PURCHASE AND INSTALLATION OF 202 (TWO HUNDRED AND TWO) CONTAINER GROWN OAK TREES (300 GALLON SIZE) AS PART OF THE SEGOVIA STREETSCAPE IMPROVEMENT PROJECT IN THE AMOUNT OF \$113,928.00 (ONE HUNDRED THIRTEEN THOUSAND NINE HUNDRED TWENTY-EIGHT DOLLARS).

**WHEREAS**, the additive alternate offered for field grown (ball and burlap) oak trees from McBayne's Construction and Renovation, Inc., the contractor for the Segovia Streetscape Improvements Project, has been rejected as not meeting specifications; and

**WHEREAS**, the Public Works Department has obtained pricing on 202 (two hundred and two) container grown oak trees (300 gallon size) from various tree nurseries in Florida and has negotiated a price of \$564.00 per oak tree for a total price in the amount of \$113,928 (one hundred thirteen thousand nine hundred twenty-eight dollars) from Cherry Lake Tree Farm; and

**WHEREAS**, the Procurement Division of Finance has reviewed the pricing from Cherry Lake Tree Farm and recommends that it be accepted as the lowest and best price available for this type of oak tree; and

**WHEREAS**, the Chief Procurement Officer recommends that the Procurement Code be waived under Section 2-583 of the Procurement Code for the purchase and installation of 202 (two hundred and two) container grown oak trees (300 gallon size) from Cherry Lake Tree Farm without a formal bid, in order to take advantage of the \$564.00 per oak tree price, and to allow for the timely installation of these oak trees in coordination with the Segovia Streetscape Improvement Project; and

**WHEREAS**, Section 2-650 of the Procurement Code authorizes the City Manager to delegate authority to the Chief Procurement Officer to administer and make recommendations on City contracts;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission does hereby direct the City Manager to accept the recommendation of the Chief Procurement Officer pursuant to Section 2-583 to waive the Procurement Code to award a contract to Cherry Lake Tree Farm for the purchase and installation of 202 (two hundred and two) container grown oak trees (300 gallon size) as part of the Segovia Streetscape Improvement Project in the amount of \$113,928.00 (one hundred thirteen thousand nine hundred twenty-eight dollars).

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FOURTEENTH DAY OF DECEMBER, A.D., 2010.

(Moved: Kerdyk / Seconded: Anderson)


(Yeas: Withers, Anderson, Kerdyk, Slesnick)

(Majority: (4-1) Vote)

(Nays: Cabrera)

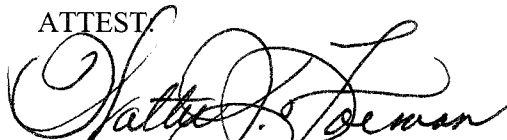
(Agenda item: C-12)

APPROVED:



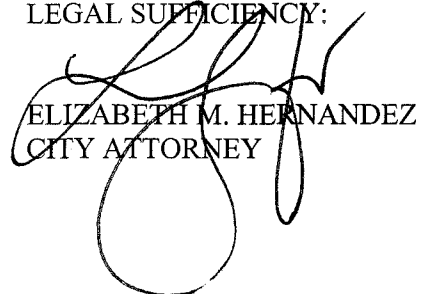
DONALD D. SLESNICK II  
MAYOR

ATTEST



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY