

## **CITY OF CORAL GABLES, FLORIDA**

### **RESOLUTION NO. 2011-55**

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER PURSUANT TO SECTION 2-583 OF THE PROCUREMENT CODE ENTITLED “APPLICATION OF THE CODE” TO WAIVE THE PROCUREMENT CODE TO AWARD A CONTRACT TO CHERRY LAKE TREE FARM IN THE AMOUNT OF \$217,080 FOR THE PURCHASE AND INSTALLATION OF EIGHTY-TWO (82) CONTAINER GROWN (670 GALLON SIZE) OAK TREES AND RELATED IRRIGATION SYSTEM AS PART OF THE SEGOVIA STREETScape IMPROVEMENTS PROJECT.

**WHEREAS**, the base bid offered for field grown (ball and burlap) oak trees to be installed in the Segovia Street median from William’s Paving Company, Inc., the lowest responsive and responsible bidder for the Segovia Streetscape Improvements Project, has been rejected as not meeting specifications; and

**WHEREAS**, the Public Works Department has obtained pricing of \$2,100 per oak tree (delivered and installed) on 82 (eighty-two) container grown oak trees (670 gallon size) from various tree farms in Florida for a total price in the amount of \$172,200 from Cherry Lake Tree Farm; and

**WHEREAS**, Public Works has also negotiated a price with Cherry Lake Tree Farm to install a related irrigation system prior to planting the trees in the amount of \$44,880; and

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

**WHEREAS**, the Chief Procurement Officer recommends that the Procurement Code be waived for the purchase and installation of 82 (eighty-two) container grown oak trees (670 gallon size) and related irrigation system from Cherry Lake Tree Farm for a total amount of \$217,080 without a formal bid, in order to take advantage of the negotiated prices for the oak trees and related irrigation system, and to allow for the timely installation of these oak trees in coordination with the Segovia Streetscape Improvements Project; and

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

**WHEREAS**, Section 2-583 of the Procurement Code entitled “Application of the Code” authorizes the Commission to waive the Procurement Code upon a four-fifths vote where it finds such waiver to be necessary in order to proceed with the issuance of a contract, proposal or bid which is in the best interest of the City;

**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 authorize the City Manager to accept the recommendation of the Chief Procurement Officer pursuant to Section 2-583 of the Procurement Code entitled “Application of the Code” to waive the Procurement Code to award a contract to Cherry Lake Tree Farm for the purchase and installation of eighty-two (82) container grown oak trees (670 gallon size) and related irrigation system in the amount of \$217,080 as part of the Segovia Streetscape Improvements Project.

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

PASSED AND ADOPTED THIS TWENTY-SECOND DAY OF MARCH, A.D., 2011.

(Moved: Withers / Seconded: Kerdyk)\

(Yeas: Kerdyk, Withers, Anderson, Slesnick)

(Majority: (4-1) Vote)

(Nays: Cabrera)

(Agenda Item: H-3)

APPROVED:

DONALD D. SLESNICK II  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

LOURDES ALFONSIN RUIZ  
INTERIM CITY ATTORNEY