

RESOLUTION NO. 2025-3418

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING AN AGREEMENT WITH FG CONSTRUCTION, LLC. FOR THE ABBOTT AVENUE STORMWATER IMPROVEMENT PROJECT PURSUANT TO ITB NO. 2024-01; TERMINATING THE AGREEMENT WITH RIC-MAN INTERNATIONAL; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 15, 2024, the Town of Surfside (Town”) issued invitation to bid (ITB) No. 2024-01 seeking qualified firms for the Abbott Avenue Stormwater Improvements (the “Project”); and

WHEREAS, in response to the ITB, the Town conducted the bid opening on June 11, 2024; and received three (3) sealed proposals; and

WHEREAS, pursuant to Resolution No. 2024-3298 adopted on July 9, 2024, the Town contracted with Ric Man International (“Ric Man Contract”) for the Project; and

WHEREAS, based on the opinions of the Town’s Capital Improvement Projects Director and the Town’s consultant engineer, Keith and Associates, Inc. (“Consultant”), the circumstances surrounding the Project now make it appropriate to terminate the Ric-Man Contract and select a new proposal; and

WHEREAS, based on the evaluation on the Town’s Capital Improvement Projects Director and the Consultant, and the recommendation of the Town Manager, the Town Commission finds that the proposal made by FG Construction, LLC (“FG Construction”) is now in the best interest and most advantageous to the Town; and

WHEREAS, the Town wishes to terminate the Ric-Man Contract; and

WHEREAS, the Town wishes to select FG Construction's proposal and FG Construction a contract for the Project, in substantially the form attached hereto as Exhibit "A" (the "FG Construction, LLC Contract"), subject to final approval as to form and content by the Town Manager, legal sufficiency by the Town Attorney and subject to final Commission approval; and

WHEREAS, the Town Commission wishes to authorize the Town Manager to negotiate with FG Construction and execute the FG Construction, LLC Contract for the maximum guaranteed price of \$8,880,609.40; and

WHEREAS, the Town Commission finds that it is in the best interest and welfare of the Town and its residents to approve the FG Construction, LLC Contract with FG Construction and terminate the Ric-Man Contract, and proceed as indicated in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The above-stated recitals are true and correct and are hereby adopted and incorporated herein by this reference.

Section 2. Authorization to Terminate Ric-Man Contract. The Town Manager is hereby authorized to terminate the Ric-Man Contract.

Section 3. Authorization to Negotiate and Execute Contract with FG Construction, LLC. The Commission hereby selects FG Construction's proposal as in the best interest of and most advantageous to the Town and awards FG Construction the FG Construction, LLC Contract, in substantially the form attached hereto as Exhibit "A".

The Town Manager is further authorized to negotiate terms and conditions and execute FG Construction, LLC Contract, in substantially the form attached hereto as Exhibit "A", subject to final Commission approval, with FG Construction on behalf of the Town and consistent with the proposal by FG Construction for the maximum guaranteed price of \$8,880,609.40, subject to the approval as to form and content by the Town Manager, and legal sufficiency by the Town Attorney.

Section 4. Implementation. The Town Manager and Town Officials are authorized to take any and all necessary action to implement the Project, the FG Construction Contract for the Project, and the purposes of this Resolution.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED on this 28th day of July, 2025.

Motion By: Vice Mayor Paul

Second By: Commissioner Nelly Velasquez

FINAL VOTE ON ADOPTION:

Commissioner Ruben A. Coto	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Commissioner Gerardo Vildostegui	<u>Yes</u>
Vice Mayor Tina Paul	<u>Yes</u>
Mayor Charles W. Burkett	<u>Yes</u>



Charles W. Burkett, Mayor


Attest:



Sandra N. McCready, MMC
Town Clerk



Approved as to Form and Legal Sufficiency:



Thais Hernandez, Town Attorney