

**RESOLUTION NO. 2008 - 023**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SELECTION AND NEGOTIATION COMMITTEE'S DECISION TO RANK LUKE'S LANDSCAPING AS THE SOLE QUALIFIED AND RESPONSIVE PROPOSER FOR PARKS AND RIGHT-OF-WAY MANAGEMENT AND MAINTENANCE SERVICES TO THE TOWN; AUTHORIZING THE TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO NEGOTIATIONS WITH LUKE'S LANDSCAPING, INC., DIRECTING THE TOWN ADMINISTRATOR TO BRING BACK AN AGREEMENT FOR THE TOWN COUNCIL'S APPROVAL; AUTHORIZING THE TOWN ADMINSTRATOR TO GO BACK OUT FOR PROPOSALS IF NEGOTIATIONS FAIL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on September 4, 2007, the Town, in compliance with the Town's procurement procedures, published a Request for Proposal (RFP) seeking Parks and Right of Way Management and Maintenance Services; and

**WHEREAS**, on September 12, 2007, the Town, in compliance with the Town's procurement procedures, published Addendum No. 1 to its RFP seeking Parks and Right of Way Management and Maintenance Services; and

**WHEREAS**, on September 19, 2007, the Town, in compliance with the Town's procurement procedures, published Addendum No. 2 to its RFP seeking Parks and Right of Way Management and Maintenance Services; and

**WHEREAS**, on September 21, 2007, the Town, in compliance with the Town's procurement procedures, published Addendum No. 3 to its RFP seeking Parks and Right of Way Management and Maintenance Services; and

**WHEREAS**, on September 25, 2007, the Town, in compliance with the Town's procurement procedures, published Addendum No. 4 to its RFP seeking Parks and Right of Way Management and Maintenance Services; and

**WHEREAS**, the ten (10) companies listed in the sign-in sheet attached hereto as Exhibit "A" attended the Town's mandatory pre-proposal conference on September 19, 2007 at 10:00 A.M.; and

**WHEREAS**, on October 3, 2007, at 2:00 PM, the Town opened the three (3) responses that it received from Luke's Landscaping, Inc., C&R Landscape, and The Landscaping Company; and

**WHEREAS**, on October 11, 2007, at 12:00 PM at an advertised public hearing, the Town's Selection and Negotiation Committee (SNC) reviewed the three (3) proposals; and

**WHEREAS**, the Town's RFP required all Proposers to procure a proposal bond and that the successful proposer shall procure a payment bond; and

**WHEREAS**, the Town Attorney opined that the lack of a proposal bond would be deemed to be a fatal flaw; and

**WHEREAS**, Luke's Landscaping, Inc. was the only proposer to have proof that it procured the required proposal bond; and

**WHEREAS**, on October 19, 2007, at an advertised public hearing, the Town's SNC ultimately determined that Luke's Landscaping, Inc. was the only qualified and responsive proposer; and

**WHEREAS**, the Town is desirous of negotiating an agreement with Luke's Landscaping, Inc. for Parks and Right-of-Way Management and Maintenance Services; and

**WHEREAS**, the Town Council authorizes and directs the Town Administrator and Town Attorney to enter into negotiations with Luke's Landscaping, Inc., and to bring back an agreement for the Town Council's review.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Southwest Ranches, Florida:

**Section 1:** The above referenced recitals are true and correct and are incorporated herein by reference.

**Section 2:** After reviewing all of the information provided, the Town Council hereby approves the decision of the SNC that the sole qualified and responsive proposer for Parks and Right-of-Way Management and Maintenance Services is Luke's Landscaping, Inc.

**Section 3:** The Town Council of the Town of Southwest Ranches hereby authorizes the Town Administrator and Town Attorney to enter into negotiations

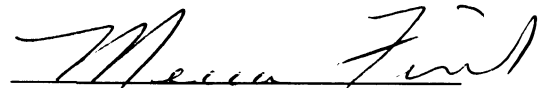
with Luke's Landscaping, Inc., and to prepare an agreement for the Town Council's approval.

**Section 4:** The Town Council authorizes the Town Administrator and Town Attorney to utilize the procedures set forth within the Town's Procurement Code and to go back out for proposals should negotiations fail.

**Section 5:** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 13<sup>th</sup> day of December 2007, on a motion by Vice Mayor Jeff Nelson and seconded by Council Member Don Maines.

Fink	<u>    N    </u>	Ayes	<u>    3    </u>
Nelson	<u>    Y    </u>	Nays	<u>    2    </u>
Breitkreuz	<u>    Y    </u>	Absent	<u>    0    </u>
Knight	<u>    N    </u>	Abstaining	<u>    0    </u>
Maines	<u>    Y    </u>		

  
\_\_\_\_\_  
Mecca Fink, Mayor

ATTEST:

  
\_\_\_\_\_  
Susan A. Owens, Town Clerk

Approved as to Form and Correctness:

  
\_\_\_\_\_  
Gary A. Poliakoff, J.D., Town Attorney

PTL\_DB: 1083687\_1