

RESOLUTION NO. 2016-84

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY TO ENTER INTO A FIFTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF HIALEAH AND MV CONTRACT TRANSPORTATION, INC., DATED OCTOBER 29, 2010 FOR THE OPERATION OF THE CITY'S BUS TRANSIT SYSTEM, RENEWING THE TERM OF THE AGREEMENT FOR AN ADDITIONAL FIVE YEARS BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2021; INCREASING THE PREMIUM RATE FOR BUS SERVICE HOURS IN EXCESS OF THE BASE, AND AS FURTHER PROVIDED IN THE AMENDMENT, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

WHEREAS, pursuant to Hialeah, Fla. Resolution 10-114 (October 26, 2010), the City entered into a professional services agreement with Contractor for a two year term commencing on November 1, 2010 and ending on October 31, 2012 as the responsive, responsible most qualified proposer in a competitive solicitation for municipal circulator services advertised as RFP No. 2009/10-3220-24-008; and

WHEREAS, on November 2, 2011, pursuant to Hialeah, Fla. Resolution 11-113 (Oct. 31, 2011), the City and Contractor executed a First Amendment to the professional services agreement increasing the fleet of buses to be operated by Contractor; and

WHEREAS, prior to the expiration of the initial term the City determined that it was advantageous to extend the term of the agreement based on Contractor's rates, experience, ability and satisfactory performance of the services; and

WHEREAS, pursuant to Hialeah, Fla. Resolution 12-101 (September 2, 2012), the City and Contractor executed a Second Amendment to the professional services agreement extending the term for an additional two years beginning on October 1, 2012 and ending on September 30, 2014, assigning additional responsibilities between the parties, including the responsibility to maintain the buses clean, provide for internet service, fuel expenses for the road supervisor and adjusting the service hours rate paid Contractor; and

WHEREAS, pursuant to Hialeah, Fla. Resolution 13-15 (February 27, 2013), the City and Contractor executed a Third Amendment to the professional services agreement to adjust the service hours rate and increasing the fuel expense allowance for the road supervisor; and

WHEREAS, prior to the expiration of the second term the City determined that it was advantageous to extend the term of the agreement based on Contractor's rates, experience, ability and satisfactory performance of the services; and

WHEREAS, pursuant to Hialeah, Fla. Resolution 14-107 (September 11, 2014), the City and Contractor executed a Fourth Amendment to the professional services agreement to renew the term of the agreement for an additional two years beginning on October 1, 2014 and ending on September 30, 2016 and adjusting the service hours rate paid Contractor;

WHEREAS, the City finds the Contractor remains capable, qualified and experienced to continue to perform the services competently to the City's satisfaction;

WHEREAS, the City wishes to extend the term of the professional services agreement for an additional five years and adjust the service hours rate paid Contractor as set forth in this Fifth Amendment and Contractor agrees to continue to provide the services pursuant to the terms and conditions set forth in the professional services agreement, as amended;

WHEREAS, the City finds that extending the term of the professional services agreement as amended for an additional five years preserves continuity of reliable, quality transportation services to the residents at competitive rates, is advantageous to the City and is the public's best interest;

WHEREAS, the negotiated premium rate for bus service hours in excess of the minimum monthly service hours as set forth in the amendment is competitive and advantageous to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

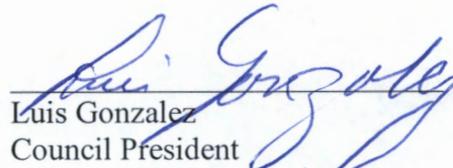
Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby approves the Fifth Amendment to the Professional Services Agreement between the City of Hialeah and MV Contract Transportation, Inc., dated October 29, 2010, renewing the license to provide professional services and personnel in connection with the operation of the Hialeah Transit System for five years beginning on

October 1, 2016 and ending on September 30, 2021; increasing the premium rate for bus service hours in excess of the monthly base service hours and all other amendments as provided in the Fifth Amendment to the Professional Services Agreement dated October 29, 2010.

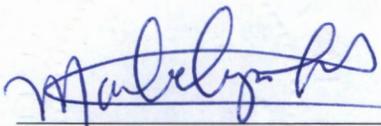
Section 3: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Fifth Amendment to Professional Services Agreement a copy of which is attached hereto and made a part hereof as Exhibit "1," in furtherance thereof.

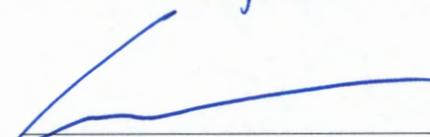
PASSED AND ADOPTED this 9 day of August, 2016.


Luis Gonzalez
Council President

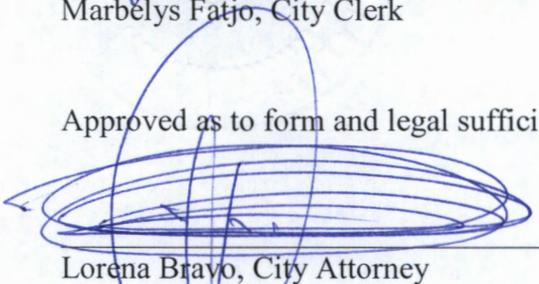
Attest:

Approved on this 18 day of August, 2016.


Marbelys Fatjo, City Clerk


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena Bravo, City Attorney

Resolution was adopted by a 6-0-1 vote with Councilmembers, Caragol, Casáls-Muñoz, Cue-Fuente, Lozano, Hernandez and Gonzalez voting "Yes". Councilmember Garcia-Martinez absent.