

**RESOLUTION NO. 2022-146**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE RENEWAL OF A TURF AND LANDSCAPE MAINTENANCE DEPARTMENT FUNDED AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, FOR THE MAINTENANCE OF TURF AND LANDSCAPE ON DESIGNATED STATE ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF HIALEAH, FOR A TERM OF ONE YEAR, COMMENCING ON MARCH 8, 2023 AND ENDING ON MARCH 6, 2024, IN AN AMOUNT NOT TO EXCEED \$142,872.00; AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO EXECUTE THE CONTRACT RENEWAL AND ALL OTHER CUSTOMARY AND NECESSARY DOCUMENTS TO CARRY OUT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the State of Florida, Department of Transportation has jurisdiction and maintains State Road (S.R.) 25, S.R. 823, S.R. 826 (Service Roads), S.R. 916, S.R. 932, S.R. 934, S.R. 944 and S.R. 953 within the corporate limits of the City of Hialeah;

**WHEREAS**, the State of Florida, Department of Transportation (FDOT) and the City of Hialeah entered into a Turf and Landscape Maintenance Agreement by which FDOT agrees to compensate the City of Hialeah in exchange for the City's services to maintain all turf and landscape areas within FDOT's right of way subject to the terms and conditions included in the Agreement dated November 30, 2020, approved by Hialeah, Fla. Resolution 2020-137 (October 13, 2020);

**WHEREAS**, the parties wish to renew their agreement for an additional year subject to the same terms and conditions;

**WHEREAS**, the parties are authorized to enter into this Agreement pursuant to Section 339.08 (e) and 339.12, Florida Statutes; and

**WHEREAS**, it is in the best interest of the health, safety and welfare of the City of Hialeah to enter into this Turf And Landscape Maintenance Department Funded Agreement to ensure the safety of the residents of the City as well as to improve the aesthetic value of the community.

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

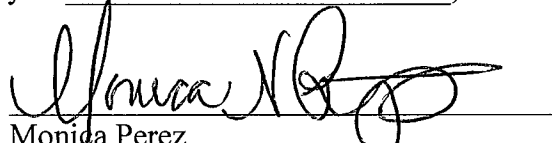
**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** The City of Hialeah, Florida hereby approves the renewal of the Turf and Landscape Maintenance Department funded Agreement with the State of Florida, Department of Transportation, for the maintenance of turf and landscape on designated State roads within the corporate limits of the City of Hialeah, for a an additional one-year term, commencing on March 8, 2023 and ending on March 6, 2024, in an amount not to exceed \$142,872.00.

**Section 3:** The Mayor and the City Clerk, as attesting witness, are hereby authorized to execute, on behalf of the City, the renewal contract, a copy of which is attached as "Exhibit A" and all other customary and necessary documents to carry out this resolution. All actions taken to date by officers of the City in furtherance of the performance of this agreement is hereby approved, confirmed and ratified.


**Section 4:** This resolution shall become effective when approved by majority vote of the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

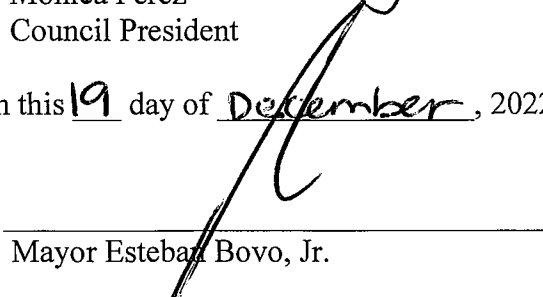
PASSED and ADOPTED this 13 day of December, 2022.

  
\_\_\_\_\_  
Monica Perez  
Council President

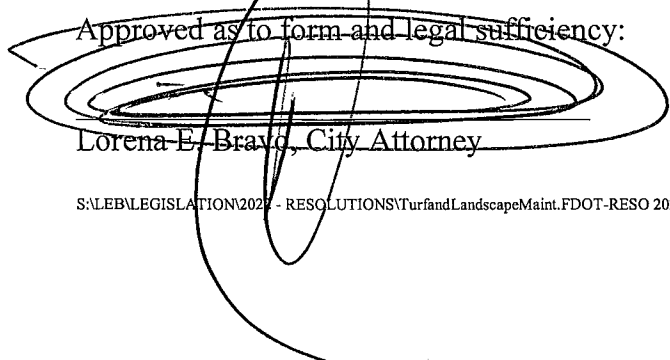
Attest:

Approved on this 19 day of December, 2022.

  
\_\_\_\_\_  
Marbelys Fatjo, City Clerk

  
\_\_\_\_\_  
Mayor Esteban Bovo, Jr.

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Lorena E. Bravo, City Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**CONTRACT RENEWAL**

375-020-23  
CONTRACTS ADMINISTRATION  
OGC - 04/06

Contract No.: ASK45 Renewal: (1st, 2nd, etc.) 2nd  
Financial Project No(s): 444253-1-78-01  
County(ies): Miami-Dade

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the State of Florida Department of Transportation, hereinafter called "Department", and City of Hialeah, 501 Palm Avenue, Hialeah, Florida 33010 hereinafter called "Contractor".  
(This date to be entered by DOT only.)

**WITNESSETH:**

WHEREAS, the Department and the Contractor heretofore on this 30 day of November, 2020 entered into an Agreement whereby the Department retained the Contractor to perform maintenance of all turf and landscape areas within the right-of-way on the State Roads described in "Exhibit A" of the original contract; and  
(This date to be entered by DOT only.)

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 8 day of March, 2023 and ending the 6 day of March, 2024 at a cost of \$142,872.00.

All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

City of Hialeah  
Name of Contractor

Estephan Bovo, Jr., Mayor  
Contractor Name and Title

BY: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name of Surety

\_\_\_\_\_  
City State

By: \_\_\_\_\_  
Florida Licensed Insurance Agent or Attorney-In-Fact (Signature) Date

Countersigned: \_\_\_\_\_  
Florida Licensed Insurance Agent Date

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

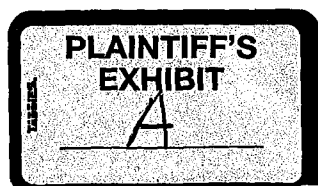
BY: \_\_\_\_\_  
District Secretary or Designee (Signature)

Title: \_\_\_\_\_

Legal: \_\_\_\_\_

Fiscal: \_\_\_\_\_  
Approval as to Availability of Funds

**ATTEST:**  
MARBELYS FATJO  
City Clerk



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**CONTRACT RENEWAL**

375-020-23  
CONTRACTS ADMINISTRATION  
OGC - 04/06

Contract No.: ASK45 Renewal: (1st, 2nd, etc.) 2nd  
Financial Project No(s): 444253-1-78-01  
County(ies): Miami-Dade

This Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the State of Florida Department of Transportation, hereinafter called "Department", and City of Hialeah, 501 Palm Avenue, Hialeah, Florida 33010 hereinafter called "Contractor".  
(This date to be entered by DOT only.)

**WITNESSETH:**

WHEREAS, the Department and the Contractor heretofore on this 30 day of November, 2020  
(This date to be entered by DOT only)  
entered into an Agreement whereby the Department retained the Contractor to perform maintenance of all turf and landscape areas within the right-of-way on the State Roads described in "Exhibit A" of the original contract; and

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 8 day of March, 2023 and ending the 6 day of March, 2024 at a cost of \$142,872.00.

All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

City of Hialeah  
Name of Contractor

Esteban Bovo, Jr., Mayor  
Contractor Name and Title

BY: \_\_\_\_\_  
Authorized Signature

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
District Secretary or Designee (Signature)

Title: \_\_\_\_\_

\_\_\_\_\_  
Name of Surety (SEAL) Legal: \_\_\_\_\_

\_\_\_\_\_  
City State

Fiscal: \_\_\_\_\_  
Approval as to Availability of Funds

By: \_\_\_\_\_  
Florida Licensed Insurance Agent or Attorney-In-Fact (Signature) Date

Countersigned: \_\_\_\_\_  
Florida Licensed Insurance Agent Date