

RESOLUTION NO. 20-09

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA, PROVIDING FOR THE AWARD OF A CONTRACT TO MITCHELL & STARK CONSTRUCTION CO. INC., FOR THE NORTH ESTERO PHASE 2 PART 2 WATER MAIN AND STORM IMPROVEMENTS PROJECT (BID NO. ITB-20-08-UT), PURSUANT TO THE FLORIDA STATE REVOLVING FUND LOAN PROGRAM, SUBJECT TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION APPROVAL; AUTHORIZING EXECUTION OF THE CONTRACT DOCUMENTS BY THE TOWN MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Town of Fort Myers Beach wishes to utilize funds from the Florida State Revolving Fund (SRF) Loan Program to perform the North Estero Phase 2 Part 2 Water Main and Storm Improvements (Bid No. ITB-20-08-UT); and

WHEREAS, On February 26, 2020 proposals were received for North Estero Phase 2 Part 2 Water Main and Storm Improvements (Bid No. ITB-20-08-UT); and

WHEREAS, Tetra Tech, Inc., the Town's Engineer for the project, has recommended a award of the contract to Mitchell & Stark Construction Co. Inc., in the amount of \$5,897,938.17.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:

SECTION 1. The Town of Fort Myers Beach, a Florida municipal corporation, hereby awards the contract for the construction of the North Estero Phase 2 Part 2 Water Main and Storm Improvements (Bid No. ITB-20-08-UT) to Mitchell & Stark Construction Co. Inc. for a total contract amount of \$5,897,938.17, subject to bid award approval by the Florida Department of Environmental Protection (FDEP).

SECTION 2. In the event adequate FDEP funding is not available until August 2020, the Town Manager is authorized to obtain bridge funding via a short term (6 month) bank loan at an interest rate not to exceed 3% per year to facilitate the project to be built during the 2020 non-peak tourism season.

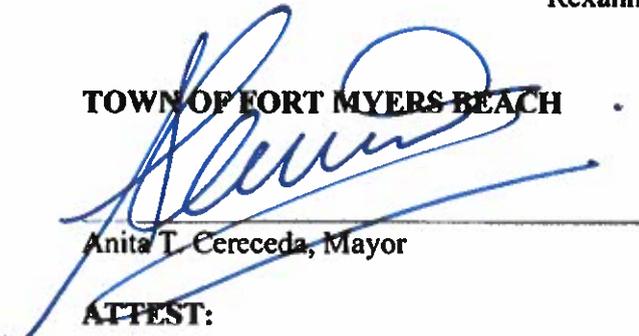
SECTION 3. The Town Manager is hereby authorized to execute the contract documents.

SECTION 4. Effective Date. This resolution shall take effect immediately upon adoption.

THE FOREGOING RESOLUTION was adopted by the Fort Myers Beach Town Council upon motion by Council Member Shamp and seconded by Council Member Butcher and being put to a vote, the result was as follows:

Anita Cereceda, Mayor	aye
Ray Murphy, Vice Mayor	aye
Bruce Butcher, Councilmember	aye
Joanne Shamp, Councilmember	aye
Rexann Hosafros, Councilmember	aye

TOWN OF FORT MYERS BEACH



Anita T. Cereceda, Mayor

ATTEST:



Michelle D. Mayher, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**



John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 9th day of April 2020.