

RESOLUTION NUMBER 24-286

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA TO AWARD ITB-24-08-EN TO KELLY BROTHERS, INC. AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER TO COMPLETE THE DINGHY DOCK CONSTRUCTION PROJECT; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach (“Town”) empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town of Fort Myers Beach is seeking to maintain and restore the Matanzas Pass Mooring Field Dinghy Dock to provide upland access renters in the mooring field; and

WHEREAS, the Town of Fort Myers Beach is obligated by the Matanzas Mooring Field Mooring Rental Agreement as a part of the Matanzas Mooring Field Management Plan, which was approved by Resolution 21-02 to provide dinghy docks as a facility for use by mooring field renters; and

WHEREAS, the lowest and responsive bid for completion of the Project received from Kelly Brothers, Inc. in the amount of \$204,645.00 base bid and \$129,045.00 alternative bid are eligible for the funding provided by the FEMA Category G Public Assistance Program, and State funding via the Florida Department of Emergency Management pursuant to 252.37(5)(a) and Senate Bill 4-A (2022A); and

WHEREAS, pursuant to a competitive procurement process in compliance with State Law and Town Code – ITB-24-08-EN “Dinghy Dock Construction Project,” the Town awards the bid to Kelly Brothers Inc; and

WHEREAS, Kelly Brothers, Inc. has agreed to execute an agreement for the Dinghy Dock Construction Project containing similar terms as included in the bid; and

WHEREAS, it is in the best interest of the Town to award the project to Kelly Brothers, Inc..

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

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. The Town Council hereby awards the bid as provided herein with Kelly Brothers, Inc.

Section 3. This resolution shall take effect immediately upon adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Vice Mayor Atterholt and seconded by Council Member King, and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 17th day of December 2024 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Dan Allers
Dan Allers (Jan 17, 2025 12:36 EST)

Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker, Town Clerk

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

MA
MA (Jan 17, 2025 18:34 EST)

Vose Law Firm, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 17th day of January 2025.