

RESOLUTION NO. R2024-44

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A ONE-YEAR CONTRACT RENEWAL TO THE PREVIOUSLY APPROVED CONTRACT WITH PRO TRANSPORTATION, INC. D/B/A PROKEL MOBILITY FOR THE PROVISION OF TROLLEY OPERATIONS AND MAINTENANCE SERVICES IN AN ESTIMATED ANNUAL BUDGETED AMOUNT OF \$1,925,688.00; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, *Florida Statutes* and Section 1.4 of the Charter of the City of North Miami Beach (“City”), the City shall have all available governmental, corporate, and proprietary powers and may exercise them except when prohibited by law; and

WHEREAS, on September 15th, 2020, the City Commission adopted Resolution R2020-78 approving a contract between the City and Pro Transportation, Inc. d/b/a Prokel Mobility (“Prokel”) for a three-year term, with two (2) one-year options to renew, for the provision of trolley operations and maintenance services for Routes A, B, C and D; subsequently, amending the contract to add trolley Route E; and

WHEREAS, to continue providing trolley operations and maintenance services paid through the City’s Citizens’ Independent Transportation Trust (CITT Funds), the Public Works Transit Division desires to exercise the first one-year renewal term for trolley Routes A, B, C, D and E (“Contract Renewal”); and

WHEREAS, Section 3-3.20 of the Code of Ordinances City of North Miami Beach, Florida, 2008 (“Code”) requires that change orders exceeding 10% or \$50,000.00, whichever is less, shall be approved by the City Commission; and

WHEREAS, the City Manager and Chief Procurement Officer recommend that the City Commission approve and authorize the City Manager or designee to execute the Contract Renewal in an estimated annual expenditure to \$1,925,688.00; and

WHEREAS, the Mayor and City Commission believe it is in the best interests of the City to approve and authorize the City Manager or designee to execute the Contract Renewal to the previously approved contract with Prokel in an estimated annual expenditure to \$1,925,688.00 to provide trolley operations and maintenance services.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, THAT:

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Resolution; all exhibits attached hereto are made a specific part of this Resolution.

Section 2. The Contract Renewal, attached as **Exhibit “A,”** to the previously approved contract with Prokel for an estimated annual expenditure of \$1,925,688.00, to provide trolley operations and maintenance services is approved.

Section 3. The City Manager or designee is authorized to do all things necessary to effectuate this Resolution.

Section 4. All Resolutions or parts of Resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. Any scrivener or typographical errors that do not affect intent may be corrected with notice to, and the authorization of the City Attorney and City Manager without further process.

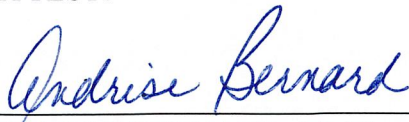
Section 6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 7. This Resolution shall take effect immediately upon adoption.

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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **19th day of March, 2024**.

ATTEST:



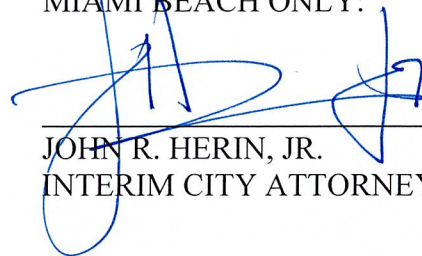
ANDRISE BERNARD, MMC
CITY CLERK



EVAN S. PIPER
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF NORTH
MIAMI BEACH ONLY:



JOHN R. HERIN, JR.
INTERIM CITY ATTORNEY

Sponsored by: Mayor & Commission