

RESOLUTION NO. 2025-

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH PROLIME CORPORATION FOR LOADING, HAULING AND DISPOSAL OF LIQUID LIME SLUDGE; INCREASING THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$260,000; AUTHORIZING THE INTERIM CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; 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, The City of North Miami Beach awarded Contract ITB-20-049-DR for “Loading, Haulage and Disposal of Liquid Lime Sludge” to Prolime Corporation (“Prolime”) for an annual estimated expenditure of \$478,000, approved by City Commission via Resolution R2021-07; and

WHEREAS, an estimated annual budgeted amount of \$736,000 for the loading, hauling and disposal of liquid lime sludge with Prolime Corporation was previously approved by City Commission via Resolution R2023-79 on September 19, 2023; and

WHEREAS, the NMB Water Department has identified an increased need for the monthly haulage and removal of liquid lime sludge to maintain treatment processes, ensure regulatory compliance, and support the uninterrupted delivery of safe, high-quality water to customers in a not to exceed amount of \$996,000; and

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

WHEREAS, the Interim City Manager and Chief Procurement Officer recommend that the City Commission approve and authorize the Interim City Manager or designee to execute a Change Order to the previously approved Contract with Prolime to increase the previously approved expenditure by \$260,000, thereby increasing the total annual expenditure to an amount not to exceed \$996,000 for the loading, haulage and disposal of liquid lime sludge; and

WHEREAS, the Mayor and City Commission believe it is in the best interests of the City to approve and authorize the Interim City Manager or designee to execute a Change Order to the previously approved Contract with Prolime to increase the previously approved expenditure by

RESOLUTION NO. R2025-XX

\$260,000, thereby increasing the total annual expenditure to an amount not to exceed \$996,000 for the loading, haulage and disposal of liquid lime sludge.

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 Change Order, in substantially the form attached as Exhibit "A," to the previously approved contract with Prolime Corporation to increase the expenditure by \$260,000, thereby increasing the total annual expenditure to an amount not to exceed \$996,000 for the loading, haulage and disposal of liquid lime sludge, subject to budget appropriation and availability of funds is hereby approved.

Section 3. The Interim 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 Interim 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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RESOLUTION NO. R2025-XX

APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **17th day of June 2025**.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

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

GREENSPOON MARDER, LLP.

By: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission

RESOLUTION NO. R2025-XX