

RESOLUTION NO. 40-2010

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, REPEALING IN ITS ENTIRETY RESOLUTION NO. 34-2009; PROVIDING FOR COUNCIL APPROVAL OF THE PROPOSAL FROM CONSTRUCTION MANAGEMENT ASSOCIATES, LLC. FOR PROJECT #6, ARRA-245 FPN 426310 FOR \$9,775.00; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Malabar Town Council approved the application for Federal Stimulus money for qualified projects under the American Recovery and Reinvestment Act; and

WHEREAS, the Town properly awarded the project to the lowest bidder for Project #6, ARRA-245 FPN 426310, to KCF Site Development; and

WHEREAS, the company submitted a withdrawal notice on February 15, 2010; and

WHEREAS, Malabar Town Council desires to repeal Resolution 34-2009 in its entirety and with this resolution award Project #6 to the next lowest bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, that:

Section 1. The Town Council of Malabar, Brevard County, Florida, hereby repeals Resolution 34-2009 in its entirety.

Section 2. The Town Council selects and approves Construction Management Associates, LLC to complete the tasks outlined in the proposal for a fixed price of \$9,775.00.

Section 3. The Town Council of Malabar, Brevard County, Florida, hereby authorizes and directs the Mayor to execute the approved contract for this Project #6.

Section 4. The Town Council of Malabar, Brevard County, Florida, hereby directs the Town Clerk to formally notify Construction Management Associates, LLC that their proposal has been accepted for Project #6.

Section 5. This resolution shall take effect immediately upon its adoption
This Resolution was moved for adoption by Council Member Borton

_____. This motion was seconded by Council Member Rivet and, upon being put to vote, the vote was as follows:

Council Member Nancy Borton	Aye
Council Member Brian Vail	Aye
Council Member Steven (Steve) Rivet	Aye
Council Member Jeffrey (Jeff) McKnight	Aye
Council Member Marisa Acquaviva	Aye

This Resolution was then declared to be duly passed and adopted this 1st day of March, 2010. By:

Thomas M. Eschenberg
Mayor Thomas M. Eschenberg
Town of Malabar

ATTEST:

Debby K. Franklin
Debby K. Franklin
Town Clerk/Treasurer

(seal)

Approved as to form and content:

Karl W. Bohne
Karl W. Bohne, Jr., Town Attorney