

RESOLUTION No. 2010-16-1198

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE CITY ATTORNEY TO FILE A BREACH OF CONTRACT ACTION AGAINST METRO DADE K-9 GUARD DOG SERVICES, INC.; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 20, 2008, the City of Miami Gardens executed a Sales Agreement with Metro Dade K-9 Guard Dog Services, Inc. for the purchase of a canine, and

WHEREAS, the Sales Agreement guaranteed the work performance of the canine for one (1) year from the date of purchase, and

WHEREAS, several requests were made for a replacement canine due to unsatisfactory work performance, and

WHEREAS, the City Attorney desires to commence with a breach of contract action against Metro Dade K-9 Guard Dog Services, Inc. for failing to issue a replacement canine,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes and directs the City Attorney to commence with a breach of contract action against Metro Dade K-9 Guard Dog Services, Inc.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JANUARY 27, 2010.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DANNY O. CREW, CITY MANAGER

MOVED BY: Vice Mayor Gilbert
SECOND BY: Councilwoman Watson

VOTE: 5-0

Mayor Shirley Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Oliver Gilbert, III	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Melvin L. Bratton	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) (out of town)
Councilman Aaron Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Barbara Watson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Sharon Pritchett	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) (not present)
Councilman André Williams	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	<i>January 27, 2010</i>		Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other	
				X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
	X			Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:			Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
						X	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Sponsor Name	Danny O. Crew, City Manager		Department:	<i>Police Department</i>			
Short Title:							

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Staff Summary:

On November 20, 2008, the City of Miami Gardens executed a Sales Agreement with Metro Dade K-9 Guard Dog Services, Inc. for the purchase of a canine. The Sales Agreement guaranteed the work performance of the canine for one (1) year from the date of purchase. Due to unsatisfactory work performance, the City made several requests for a replacement canine. Metro Dade K-9 Guard Dog Services, Inc. has failed to comply with the City's requests, and is now in breach of contract.

Proposed Action:

It is recommended that the City Council authorize the City Attorney to commence with a breach of contract action against Metro Dade K-9 Guard Dog Services, Inc. for failing to provide a replacement canine as required under the Sales Agreement.

Attachment:

None

**ITEM J-2) CONSENT AGENDA
RESOLUTION
Breach of contract against
Metro Dade K-9 Guard Dog Service**