

RESOLUTION NO. 20-04-30

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FIRST AMENDMENT TO AGREEMENT BETWEEN CSA CENTRAL, INC. AND ISLAMORADA, VILLAGE OF ISLANDS FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE VENETIAN SHORES STORMWATER MANAGEMENT SYSTEM PROJECT; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on May 9, 2019, Islamorada, Village of Islands (the “Village”) entered into an Agreement (the “Agreement”) with CSA Central, Inc. (“CSA”) for construction engineering and inspection services for the Venetian Shores Stormwater Management System project; and

WHEREAS, CSA has recently advised the Village that the not-to-exceed amount of \$45,000.00 is not sufficient to cover the entire costs of the services because the timeline of the project was extended; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the “Village Council”) desires to approve the First Amendment to the Agreement (the “First Amendment”) to reflect the increase in the not-to exceed amount of the Agreement to \$58,360.00; and

WHEREAS, the Village Council finds that approval of the First Amendment is in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. Approval of Amendment. The Village Council hereby approves the First Amendment between CSA and the Village, a copy of which is attached as Exhibit “A,” together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. Authorization of Village Officials. The Village Manager and/or his designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Work Authorization.

Section 4. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village’s Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Authorization.

Section 5. Execution of Documents. The Village Manager is authorized to execute the First Amendment on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the First Amendment and to execute any extensions and/or amendments to the First Amendment, subject to the approval as to form and legality by the Village Attorney.

Section 6. Effective Date. This Resolution shall take effect immediately upon adoption.

Motion to adopt Vice Mayor Ken Davis, second by Councilman Jim Mooney.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Mike Forster	YES
Vice Mayor Ken Davis	YES
Councilwoman Deb Gillis	YES
Councilman Jim Mooney	YES
Councilman Chris Sante	YES

PASSED AND ADOPTED THIS 16TH DAY OF APRIL, 2020.



MIKE FORSTER, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND
LEGALITY FOR THE USE AND BENEFIT
OF ISLAMORADA, VILLAGE OF ISLANDS:



ROGET V. BRYAN, VILLAGE ATTORNEY

**FIRST AMENDMENT TO AN AGREEMENT
BETWEEN
ISLAMORADA, VILLAGE OF ISLANDS
AND
CSA CENTRAL, INC.**

THIS AMENDMENT to the Agreement (the "First Amendment") is made between **CSA CENTRAL, INC.**, a Florida corporation ("CONSULTANT"), and **ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA**, a Florida municipal corporation ("VILLAGE").

WHEREAS, CONSULTANT and VILLAGE entered into a certain Agreement (the "Agreement") effective May 9, 2019; and

WHEREAS, CONSULTANT has determined that costs to provide construction engineering and inspection ("CEI") services for the Venetian Shores Stormwater Management System along Bayview Drive, Villa Bella Drive and a portion of Venetian Boulevard will exceed the current not-to-exceed amount specified in the Agreement of Forty-five Thousand and no/100 Dollars (\$45,000.00); and

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth in this First Amendment, CONSULTANT and VILLAGE agree as follows.

Section 1. Amendment to Agreement. The Agreement is amended to read as follows:

ARTICLE 4
CONTRACT SUM

4.1 The VILLAGE hereby agrees to pay CONSULTANT for the faithful performance of this Agreement, for work completed in accordance with the Proposal attached hereto as Exhibit "A", and as directed by VILLAGE. Prices for work completed by the CONSULTANT shall be as reflected in CONSULTANT's Proposal attached hereto and made a part hereof as Exhibit "A". A total contract price hereto is referred to as Contract Sum and shall not exceed ~~Forty-Five Thousand Dollars (\$45,000.00)~~ **Fifty-Eight Thousand Three Hundred Sixty Dollars (\$58,360.00)**.

Section 2. No Further Modifications. All other terms and conditions of the existing Agreement not in conflict or superseded by this First Amendment shall remain in full force and effect as if set for the herein.

Section 3. Effective Date. This First Amendment shall be effective upon execution.

IN WITNESS WHEREOF, there parties execute this First Amendment on the respective dates under each signature: VILLAGE, signing by and through its Village Manager, attested to by its Village Clerk, and by CONSULTANT by and through its principal.

Attest:

ISLAMORADA, VILLAGE OF ISLANDS

Kelley S. Toth
Kelly Toth, Village Clerk

By: Seth Lawless
Seth Lawless, Village Manager

Date: April 21, 2020

CSA CENTRAL, INC.

By: Robert Leon
Robert Leon, Senior Vice President

4/27/2020
Date

[Signature]
Witness