

RESOLUTION NO. 21-05-40

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING A FIRST AMENDMENT TO THE AGREEMENT BETWEEN ADVANCED MODULAR STRUCTURES, INC., AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE AND INSTALL A NEW MODULAR MARINA OFFICE BUILDING; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Islamorada, Village of Islands (the "Village") issued a Request for Proposals ("RFP 19-02") for a new modular office space for Plantation Yacht Harbor Marina; and

WHEREAS, on May 30, 2019, the Village Council of Islamorada, Village of Islands (the "Village Council") approved the recommendation of the RFP 19-02 Evaluation Committee for a modular office space for Plantation Yacht Harbor Marina to select Advanced Modular Structures, Inc. ("AMS"), for the project; and

WHEREAS, Resolution No. 19-05-03 authorized the Village Manager and/or his designee and the Village Attorney to negotiate the terms and conditions of an agreement with AMS and to enter into that agreement at a cost not-to-exceed One Hundred Twenty Thousand and no/100 Dollars (\$120,000.00); and

WHEREAS, the Village subsequently had a survey and site plan completed for the project resulting in additional building requirements not included in the original project scope; and

WHEREAS, AMS has revised the Schedule of Values to reflect costs associated with adding a piling foundation of ten (10) piles at 6 feet above grade and installing a longer ramp to accommodate the higher elevation; and

WHEREAS, the Village Council adopted Resolution No. 20-05-40, thereby approving an Agreement with AMS at a cost not-to-exceed One Hundred Fifty-Five Thousand and no/100 Dollars (\$155,000.00); and

WHEREAS, due to delays experienced in the building permit application and site plan review process, AMS has again revised the Schedule of Values to reflect cost increases over the previous year associated with manufacture of the modular office building; and

WHEREAS, AMS has agreed to provide the services described in the attached agreement (Exhibit "A") for a cost no-to-exceed One Hundred Ninety and no/100 Dollars (\$187,070.50); and

WHEREAS, the Village Council finds that approval of the First Amendment to the Agreement between AMS and the Village attached hereto as Exhibit "1" 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 Agreement. The Village Council hereby approves the First Amendment between AMS and the Village to provide and install a modular office space for Plantation Yacht Harbor Marina, a copy of which is attached as Exhibit "1," 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 her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the First Amendment.

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 Agreement.

Section 5. Execution of Agreement. 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 Agreement, 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 by Vice Mayor Pete Bacheler, second by Councilman David Webb.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	YES
Vice Mayor Peter Bacheler	YES
Councilman Mark Gregg	YES
Councilman Henry Rosenthal	YES
Councilman David Webb	YES

PASSED AND ADOPTED ON THIS 20th DAY OF MAY 2021.



JOSEPH B. PINDER III, 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

**EXHIBIT A Available Upon
Request.**

Please contact Village Clerk at
305-664-6413 or
deputyclerk@islamorada.fl.us