RESOLUTION NO. 17-06-36

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE SECOND AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL FEDERAL LOBBYING SERVICES BETWEEN ALCALDE & FAY LTD. AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE SECOND AMENDMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE SECOND AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, following competitive bidding in 2012 and again in 2015, Islamorada, Village of Islands ("the Village") has engaged the services of Alcalde & Fay Ltd. (the “Consultant”) since July 2012 to provide consulting and representative services for the Village before the United States Congress, Federal agencies and governmental entities (the “Services”)

and

WHEREAS, the Consultant has proven to be knowledgeable, competent and reliable and has been effective in representing the Village’s interests; and

WHEREAS, the term of the Professional Federal Lobbying Consulting Services Agreement (the “Agreement”) approved by the Village Council on May 12, 2016 through the adoption of Resolution No. 16-05-20 shall expire on June 30, 2017; and

WHEREAS, in accordance with provisions of the Agreement, the Village has the option to extend the term of the Agreement for successive one-year periods; and

WHEREAS, the Consultant has agreed to provide the Services described in the Agreement and at the compensation set forth in the Agreement for an additional year; and
WHEREAS, the Village Council finds that approval of the Second Amendment to the Agreement with Alcalde & Faye, LTD. to extend the term of the Agreement for an additional one-year term 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 Second Amendment. The Village Council hereby approves the Second Amendment to the Agreement for Professional Federal Lobbying Services, a copy of which is attached hereto 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 her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Second 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 Second Amendment.

Section 5. Execution of Second Amendment. The Village Manager is authorized to execute the Second Amendment on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Second Amendment and to execute any extensions and/or amendments to the Second 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.

PASSED AND ADOPTED ON THIS 1st DAY OF JUNE, 2017.

Motion to adopt by Councilwoman Deb Gillis, second by Vice Mayor Chris Sante.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Jim Mooney  YES
Vice Mayor Chris Sante  YES
Councilman Mike Forster  YES
Councilwoman Deb Gillis  YES
Councilwoman Cheryl Meads  YES

ATTEST:

JIM MOONEY, MAYOR

KELLY TOOTH, VILLAGE CLERK

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

ROGET V. BRYAN, VILLAGE ATTORNEY
SECOND AMENDMENT
PROFESSIONAL FEDERAL LOBBYING CONSULTING SERVICES AGREEMENT
BETWEEN
ISLAMORADA, VILLAGE OF ISLANDS
AND
ALCALDE & FAY LTD

THIS AMENDMENT to the Professional Services Agreement (the "Second Amendment") is made between ALCALDE & FAY LTD a Virginia corporation (the "Consultant"), and ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, a Florida municipal corporation (the "Village").

WHEREAS, the Consultant and the Village entered into a certain Professional Federal Lobbying Consulting Services Agreement ("the Agreement") effective July 1, 2015, attached hereto as Exhibit 2; and

WHEREAS, in accordance with the provisions of the Agreement, the Village has the option to extend the term of the Agreement upon the same terms and conditions for successive one (1) year periods; and

WHEREAS, the Consultant and the Village extended the term and conditions of the Agreement for an additional one (1) year period with the First Amendment to the Agreement effective July 1, 2016, attached hereto as Exhibit 1; and

WHEREAS, the Consultant has agreed to provide the services described in the Agreement for an additional one (1) year period; and

WHEREAS, the parties desire to enter into this Second Amendment to modify the term of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth in this Second Amendment, the Consultant and the Village agree as follows.

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

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2. Term/Commencement Date.

2.1 Unless otherwise terminated pursuant to Section 4, this Agreement shall be effective on July 1, 2017 and shall continue through June 30, 2018. (the "Term")

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

Section 3. Effective Date. This Second Amendment shall be effective on July 1, 2017.

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

Attest:

Kelly Toth, Village Clerk

By: Seth Lawless, Village Manager

Date: June 6, 2017

ALCALDE & FAY

By: James Davenport, Partner

Date: June 8, 2017

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

Roget V. Bryan, Village Attorney