RESOLUTION NO. 12-06-49

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA CANCELLING NEGOTIATIONS WITH ISLAMORADA WATER, LLC (VEOLIA/AECOM) PURSUANT TO THE REQUESTS FOR PROPOSALS (RFP) FOR THE DESIGN, BUILD AND OPERATE OF THE VILLAGE’S WASTEWATER SYSTEM; AUTHORIZING THE VILLAGE MANAGER AND APPROPRIATE VILLAGE OFFICIALS TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on June 29, 2011, Islamorada Village of islands (the “Village”) issued a Request for Proposals (RFP) for Design-Build-Operate-Finance (DBOF) of the Village’s wastewater system; and

WHEREAS, in accordance with the RFP, the Evaluation Committee scored and ranked two (2) responses to the RFP pursuant to the criteria set forth in the RFP; and

WHEREAS, on December 15, 2011, by Resolution No. 11-12-101, the Village Council approved the rankings of the Evaluation Committee and the recommendation of the Village Manager to enter into contract negotiations with the highest ranked firm, Veolia/AECOM; and

WHEREAS, on June 5, 2012, by Resolution No. 12-06-42, the Village Council approved a Design, Build and Operate (DBO) Agreement with Islamorada Water, LLC (the LLC created by Veolia/AECOM pursuant to their proposal); and

WHEREAS, on June 19, 2012, the Mayor executed the DBO Agreement, which was transmitted to Islamorada Water, LLC for their signature; and

WHEREAS, on June 26, 2012, the Village received an executed Agreement from Islamorada Water, LLC; and

WHEREAS, the Agreement returned to the Village and signed by Islamorada Water,
LLC is not the same document approved by the Village Council and executed by the Mayor; and

WHEREAS, the Village Council desires to terminate negotiations with Islamorada Water, LLC (Veolia/AECOM) pursuant to Section 287.055, Florida Statutes, the Village’s adopted Policy for Selection of Design/Build Firms and the RFP.

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 Cancellation of Negotiations with Islamorada Water, LLC. The negotiations with Islamorada Water, LLC (Veolia/AECOM) for the Design, Build and Operate of the Village’s wastewater system are cancelled.

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 this Resolution.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 5th day of July, 2012.

Motion to adopt by Councilman Purdo, second by Vice Mayor Philipson.

FINAL VOTE AT ADOPTION
Mayor Michael Reckwerdt Yes
Vice Mayor Ken Philipson Yes
Councilman Don Achenberg Yes
Councilman Ted Blackburn  
Yes

Councilman Dave Purdo  
Yes

\[\text{Ken Philipson} \]
KEN PHILIPSON, VICE MAYOR

ATTEST:

\[\text{Debra Eastman} \]
DEBRA E. EASTMAN, MMC
VILLAGE CLERK

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

\[\text{VILLAGE ATTORNEY} \]