RESOLUTION NO. 13-03-12

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING MODIFICATION OF THE ENGAGEMENT LETTER BETWEEN SIVER INSURANCE CONSULTANTS AND ISLAMORADA, VILLAGE OF ISLANDS TO PROVIDE RISK MANAGEMENT AND INSURANCE CONSULTING SERVICES; APPROVING A WAIVER OF COMPETITIVE BIDDING; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE ENGAGEMENT LETTER; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE MODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the “Village”) has retained the services of Siver Insurance Consultants (“Siver”) for risk management and insurance consulting services; and

WHEREAS, the Village has an Engagement Letter dated October 11, 2012 with Siver to provide its services up to a not-to-exceed amount of $24,900 through May 16, 2013, a copy of which is attached as Exhibit “A”; and

WHEREAS, Village staff has determined anticipated consulting fees incurred for services rendered may exceed the not-to-exceed amount of $24,900; and

WHEREAS, the Village Council finds that a waiver of competitive bidding and an increase to the not-to-exceed amount are 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 Engagement Letter between Siver and the Village to provide risk management and insurance consulting services 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, is approved.

Section 3. Waiver of Purchasing Provisions. In accordance with Section 2-328(1) of the Village Code, the Village Council waives the competitive purchasing provision of the Village Code to allow staff time to prepare a Request for Qualifications and complete a competitive bid selection process.

Section 4. Authorization of Village Officials. The Village Manager and/or his designee and the Village Attorney are authorized to modify the Engagement Letter so that the maximum not-to-exceed amount is $34,900.

Section 5. 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 up to the not-to-exceed amount to implement the terms and conditions of the Engagement Letter.

Section 6. Execution of Agreement. The Village Manager is authorized to execute the modification to the Engagement Letter on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Engagement Letter and to execute any extensions and/or amendments to the Engagement Letter, subject to the approval as to form and legality by the Village Attorney.

Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.
PASSED AND ADOPTED this 28th day of March, 2013.

Motion to adopt by Councilwoman Deb Gillis, second by Councilman Dave Purdo.

FINAL VOTE AT ADOPTION
Mayor Ken Philipson  YES
Vice Mayor Ted Blackburn  YES
Councilman Mike Forster  YES
Councilwoman Deb Gillis  YES
Councilman Dave Purdo  YES

KEN PHILIPSON, MAYOR

ATTEST:

ARIANA S. LAWSON, VILLAGE CLERK

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

VILLAGE ATTORNEY
October 11, 2012

Mr. Greg Tindle, Director, Wastewater Services
Village of Islamorada
86800 Overseas Highway
Islamorada Florida 33036

Subject: Consulting Services Engagement Letter

Dear Mr. Tindle:

This letter sets forth the agreement of engagement between the Village of Islamorada, Florida ("the Village") and Siver Insurance Consultants ("Siver") to provide insurance and risk management consulting assistance to the Village as requested by the Village, effective May 16, 2012.

SCOPE OF WORK

We will provide assistance in various insurance and risk management related issues, as we are requested to do so by the Village.

SIVER FEES

As is our normal practice, we propose to bill the Village monthly. At the end of each month, we will provide an invoice describing the date performed, name of person providing the services, a general description of the work performed, hourly rate, and earned fee for our services during the month. Our fees will develop on the following basis:

- **Senior Consultants**: $200 per hour
- **Associate Consultants**: $125 per hour
- **Support/Para Professional**: $50 per hour
In addition to professional fees, Siver shall also be reimbursed for actual costs incurred in performance of the scope of work, including long distance communication, photocopying, postage and travel expenses reimbursed in accordance with Section 112.061 Florida Statutes.

It is agreed that the total compensation to Siver authorized hereunder may not exceed $24,900, unless specifically authorized in writing by the Village through May 16, 2013.

CLOSING

Please indicate the Village’s agreement to the terms of the above by signing in the space below and return same to the undersigned.

Very truly yours,

SIVER INSURANCE CONSULTANTS

George W. Erickson, JD, CPCU, LLM
Executive Vice President

AGREED TO and ACCEPTED

VILLAGE OF ISLAMORADA, FLORIDA

By: Mary Swanny for Edward Koceres

Date: 10/12/12