RESOLUTION NO. 14-03-21

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE SECOND RENEWAL TO THE TURF AND LANDSCAPE JOINT PARTICIPATION AGREEMENT BETWEEN FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AGREEMENT; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the “Village”) desires to provide a high level of maintenance services to its citizens and residents; and

WHEREAS, the Village maintains the roadside areas and median strips on the part of the State Highway System located within the Village’s municipal boundaries; and

WHEREAS, the Village’s Public Works Department has maintained the U.S. Highway 1 right-of-way since FY 2007-2008; and

WHEREAS, the Florida Department of Transportation (“FDOT”) and the Village both desire that FDOT financially compensate the Village to offset the costs of annually maintaining the U.S. Highway 1 right-of-way; and

WHEREAS, in 2012, the Village and FDOT entered a Turf and Landscape Joint Participation Agreement for the period FY 2012-13, which was subsequently renewed for the period 2013-14; and

WHEREAS, the Village has agreed to continue providing the services described in the Second Renewal of the Turf and Landscape Joint Participation Agreement (the “Agreement”) attached hereto as Exhibit “A”; and

WHEREAS, in accordance with Section 287.058, Florida Statutes, the Florida
Department of Transportation ("FDOT") has agreed to pay the Village quarterly compensation to offset the cost of U.S. Highway 1 right-of-way maintenance in the total amount of $53,897.08 annually for the period beginning July 13, 2014 through July 12, 2015; and

WHEREAS, the Village Council finds that the approval of the Agreement between FDOT and the Village is in the best interest of the Village and its residents.

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 hereby incorporated into this Resolution by this reference.

Section 2. Approval of Agreement. The Village Council of Islamorada, Village of Islands, hereby approves the Second Renewal of the Turf and Landscape Joint Participation Agreement attached hereto 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 is authorized to take all necessary and expedient action to implement the terms and conditions of this Resolution and the Agreement.

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 Agreement on behalf of the Village, to execute any required agreements and/or
documents to implement the terms and conditions of the Agreement 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.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Ted Blackburn YES
Vice Mayor Deb Gillis YES
Councilman Michael Forster YES
Councilman Ken Philipson YES
Councilman Dave Purdo YES

PASSED AND ADOPTED ON THIS 20th DAY OF MARCH, 2014.

TED BLACKBURN, MAYOR

ATTEST:

SYNTHIA LANKFORD, VILLAGE CLERK

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

ROGET V. BRYAN, VILLAGE ATTORNEY
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

CONTRACT RENEWAL

Contract No.: AQP 78
Financial Project No(s): 405798-2-78-02
County(ies): Miami-Dade

This Agreement made and entered into this 13 day of July, 2012, by and between the State of Florida Department of Transportation, hereinafter called "Department", and Islamorada Village of Islands, hereinafter called "Contractor".

WITNESSETH:

WHEREAS, the Department and the Contractor heretofore on this 9th day of July 2014 entered into an Agreement whereby the Department retained the Contractor to perform Maintenance of all Turf and Landscape areas within the Department’s right of way, having the limits specified on Exhibit “B” of the Original Contract.

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 13 day of July, 2014 and ending the 12 day of July, 2015 at a cost of $53,897.08.

All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

Islamorada Village of Islands

Name of Contractor

Maria T. Aguiar Village Manager

Contractor Name and Title

SEAL

Name of Surety

City

State

By: Florida Licensed Insurance Agent or Attorney In Fact (Signature)

Countersigned: Florida Licensed Insurance Agent Date

STATE OF FLORIDA

DEPARTMENT OF TRANSPORTATION

BY:

District Secretary or Designee (Signature)

Title: Director

Legal:

Fiscal:

Approval as to Availability of Funds
Contract No: AQP78
Financial Project No(s): 405798-2-78-02
Project Description: Maintenance of all Landscape and/or turfed areas within the Department's Right of Way, having the limits described on Exhibit "B" of the original contract.

Vendor/Consultant acknowledges and agrees to the following:

Vendor/Consultant:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Consultant during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Company/Firm: Islamorada Village of Islands

Authorized Signature: [Signature]
Title: Village Manager
Date: 3/27/14
July 10, 2014

Islamorada Village of Islands  
Village Adm. Center & Public Safety Headquarters  
86800 Overseas Highway (MM87-Founders Park)  
Islamorada, FL 33036

Attn: Ms. Maria T. Aguilar, Village Manager

RE: NOTICE TO PROCEED – RENEWAL #2

Contract: AQP 78  
Description: Turf and Landscape Maintenance Turf and Landscape Joint Participation Agreement  
Financial No.: 405798-2-78-02

The Department and the Islamorada, Village of Islands have executed Renewal #2 for the Maintenance Joint Participation Agreement noted above for a period of one year, starting July 13th, 2014.

The Village may invoice the Department after the end of each quarter according to the schedule below.

1st Quarter- July 13th, 2014 thru October 12th, 2014  
2nd Quarter October 13th, 2014 thru January 12th, 2015  
3rd Quarter January 13th, 2015 thru April 12th, 2015  
4th Quarter April 13th, 2015 thru July 12th, 2015

If you have any questions concerning the agreement, please contact me at telephone number (305) 470-5354.

Sincerely,

Rudy Garcia, P.E.  
District Maintenance Engineer

RG/si

cc: R. Marrero, K. Jimmerson, K. Al-Said, S. Perez, Procurement, File