RESOLUTION NO. 16-09-63

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FIRST AMENDMENT TO WORK AUTHORIZATION NO. 2 BETWEEN THE VILLAGE AND BERMELLO AJAMIL & PARTNERS, INC. TO EXTEND THE DEADLINE FOR COMPLETION FOR GREEN TURTLE HAMMOCK AND KEY TREE CACTUS MASTER PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on October 22, 2015, Islamorada, Village of Islands (the “Village”) adopted Resolution 15-10-107, thereby approving Work Authorization No. 2 for Bermello Ajamil & Partners, Inc. (“Bermello”) for the creation of a master site plan and design/permitting for the Green Turtle Hammock and Key Tree Cactus Preserve; and

WHEREAS, Work Authorization No. 2 was in effect through April 30, 2016; and

WHEREAS, the Village Council of Islamorada, Village of Islands (the “Village Council”) desires to extend Work Authorization No. 2 through November 30, 2016 to allow Bermello additional time to complete the services; and

WHEREAS, the Village Council finds that approval of this First Amendment to Work Authorization No. 2 is in the best interest of the Village.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Approving First Amendment to Work Authorization No. 2. The Village Council hereby approves the amendment of Work Authorization No. 2, attached hereto as Exhibit “A”, thereby extending the project completion date until November 30, 2016.
Section 3. Effective Date. This Resolution shall become effective immediately upon its adoption.

Motion to adopt by Councilman Dennis Ward, second by Councilman Chris Sante.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Deb Gillis  YES
Vice Mayor Jim Mooney  YES
Councilman Mike Forster  YES
Councilman Chris Sante  YES
Councilman Dennis Ward  YES

PASSED AND ADOPTED ON THIS 22ND DAY OF SEPTEMBER, 2016.

DEB GILLIS, MAYOR

ATTEST:

KELLY TOOTH, VILLAGE CLERK

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

ROGERT V. BRYAN, VILLAGE ATTORNEY
FIRST AMENDMENT TO
WORK AUTHORIZATION NO. 2. BETWEEN
ISLAMORADA, VILLAGE OF ISLANDS
AND
BERMELLO AJAMIL & PARTNERS, INC.

This First Amendment to Work Authorization No. 2 (the “First Amendment”) made and entered into this **28** day of _September_, 2016 between Bermello Ajamil & Partners, Inc. and Islamorada, Village of Islands.

WHEREAS, pursuant to the Agreement, the Village and Bermello Ajamil & Partners, Inc, entered into Work Authorization No. 2 to provide the aforementioned services; and

WHEREAS, the Village has prepared a First Amendment (the “Amendment”) to Work Authorization No. 2 to extend the deadline for completion of Green Tree Hammock and Key Tree Cactus Master Plan.

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

NOW, THEREFORE, in consideration of the mutual covenants set forth in this First Amendment, the parties agree as follows:

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

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1 Additional text is shown as **underlined**; deleted text is shown as **strike-through**.

SECTION 3. TERM/TIME OF PERFORMANCE/DAMAGES

3.1 **Term.** This Project Agreement shall commence on the date this Agreement is fully executed by all parties and shall continue in full force and effect through **April 30, 2016, November 30, 2016**, unless otherwise terminated pursuant to Section 6 or other applicable provisions of this Project Agreement. The Village Manager may extend the term of this Agreement through written notification to the CONSULTANT. Such extension shall not exceed (30) days. No further extensions of this Agreement shall be effective unless authorized by the Village Council.

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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 First Amendment shall remain in full force and effect as if set for the herein.

Section 3.  **Effective Date.**  This First Amendment shall be effective on the date first written above.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this First Amendment upon the terms and conditions above stated on the day and year first above written.

Attest:

Kelly Toth, Village Clerk

By: Marla T. Aguilar, Village Manager

Date: 9/28/2016

Approved as to Form and Legality for the Use and Benefit of Islamorada, Village of Islands only

Roget V. Bryan, Village Attorney

BERMELLO AJAMIL & PARTNERS, INC.

By: Randy Hollingworth, Vice President

Date: 9/28/16