

GOLDEN BEACH, FLORIDA

RESOLUTION NO. 1596.04

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AUTHORIZING AND APPROVING THE MAYOR AND TOWN OFFICIALS TO EXECUTE A CONTRACT RENEWAL FOR A ONE YEAR EXTENSION WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PERTAINING TO A HIGHWAY LANDSCAPE MAINTENANCE AGREEMENT PREVIOUSLY AUTHORIZED UNDER RESOLUTION 1168.99; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Golden Beach approved Resolution 1168.99 on the 18th day of May, 1999 authorizing Town Officials to enter into a Highway Landscape Maintenance Agreement with the State of Florida Department of Transportation; and

WHEREAS, the Town of Golden Beach entered into a Highway Landscape Maintenance Agreement with the State of Florida Department of Transportation on the 16th day of August, 1999 for a five year term; and

WHEREAS, the Agreement provides renewal on a yearly basis for a maximum of two years; and,

WHEREAS, the State of Florida Department of Transportation desires to extend the contract for an additional year;

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the Town Council hereby approves the Contract Renewal between the Town of Golden Beach and the Florida Department of Transportation Turf and Landscape Maintenance Memorandum of Agreement, a copy of which is attached as Exhibit "A".

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Section 2. That the Mayor and appropriate Town Officials are hereby authorized to enter into a one year extension of the Department of Transportation Turf and Landscape Maintenance Memorandum of Agreement with the Town of Golden Beach.

Section 3. Severability. That the provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

Section 4. Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

Section 5. Effective Date. That this Resolution shall become effective immediately upon approval of the Town Council.

Sponsored by Administration.

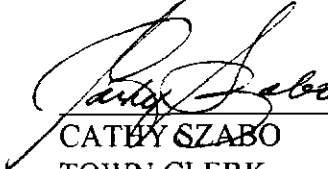
The Motion to adopt the foregoing resolution was offered by Mayor Addicott, seconded by Vice Mayor Paruas and on roll call the following vote ensued:

Mayor Addicott	<u>AYE</u>
Vice Mayor Paruas	<u>AYE</u>
Councilmember Einstein	<u>AYE</u>
Councilmember Iglesias	<u>AYE</u>
Councilmember Singer	<u>AYE</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach this 25th day of May, 2004.



MAYOR MICHAEL ADDICOTT

ATTEST:



CATHY SZABO
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



PAUL D. EICHNER
TOWN ATTORNEY



Florida Department of Transportation

JEB BUSH
GOVERNOR

District Six • Maintenance Office
1000 Northwest 111th Avenue, Room 6214
Miami, Florida 33172-5800

JOSE ABREU
SECRETARY

July 21, 2004

Ms. Bonnie Lyn Wilbanks-Free
Town Manager
Town of Golden Beach
1 Golden Beach Drive
Golden Beach, Florida 33160

RE: **NOTICE TO PROCEED**
Renewal No. 1, Turf and Landscape Agreement
Contract No.: BC148
Financial No.: 25235417205

Dear Ms. Wilbanks-Free:

The Department and the Town of Golden Beach have executed Renewal No.1 of the Agreement referenced above. The renewal period is for one year starting on October 1, 2004, and ending on September 30, 2005. Enclosed is an original executed renewal document for your records.

Should you have any questions concerning this renewal, please contact me at telephone number (305) 470-5350.

Sincerely,

Ronald S. Steiner
District Six Maintenance Engineer

cc: Richard Kenny, Houshang Zahedi, Jesus Valderrama, Hernan Villar, Nancy Lyons, Sarah Perez, file

Enclosures

CONTRACT RENEWAL

Contract No.: BC148

Financial Project No(s): 25235417205

WPI No(s): _____

County(ies): Miami-Dade

Renewal: First Second

This Agreement made and entered into this 19th day of July, 2004, by and between the State of Florida Department of Transportation, hereinafter called "Department", and Town of Golden Beach of 1 Golden Beach Drive Golden Beach, Florida 33160 hereinafter called "Contractor".

WITNESSETH:

WHEREAS, the Department and the Contractor heretofore on August 16, 1999 entered into an Agreement whereby the Department retained the Contractor to perform Maintenance of all turfed and landscaped areas as described in Attachment "A" of the Agreement.

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 dated August 16, 1999 for a period of one year beginning the 1st day of October, 2004 and ending the 30th day of September, 2005 at an annual cost of \$ 13,969.21 specified herein.

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.

Town of Golden Beach (SEAL)
Name of Contractor

BY: Michael L. Addicott (SEAL)
Authorized Signature

Title: Mayor

Attest: _____

Surety _____ Date _____

By: _____ Date _____

Countersigned: _____ Date _____

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: [Signature]
District Secretary or Designee

Title: _____

Legal: [Signature]

Fiscal: _____
Approval as to Availability of Funds

Resident Florida Agent
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: [Signature]
PAUL D. EICHNER,
TOWN ATTORNEY