

**RESOLUTION NO. 19-01-03**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE SECOND CONTRACT RENEWAL OF THE TURF AND LANDSCAPE MAINTENANCE DEPARTMENT FUNDED AGREEMENT, CONTRACT NO. AS681, BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ISLAMORADA, VILLAGE OF ISLANDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE SECOND CONTRACT RENEWAL; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO TAKE NECESSARY 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 visitors; and

**WHEREAS**, the Village maintains the State Highway System corridor 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**, on June 22, 2017, the Village Council adopted Resolution 17-06-41, thereby approving Turf and Landscape Maintenance Department Funded Agreement, Contract No. AS681, between the Village and FDOT (the “Agreement”); and

**WHEREAS**, on March 1, 2018, the Village Council adopted Resolution No. 18-03-17 thereby approving the first renewal of the Agreement from July 12, 2018 to July 11, 2019; and

**WHEREAS**, the Village desires and has agreed to continue providing the services described in the Agreement; and

**WHEREAS**, the Village and FDOT desire to enter into a second renewal of the Agreement for the period from July 12, 2019 through July 10, 2020; and

**WHEREAS**, in accordance with Section 287.058, Florida Statutes, 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 \$53,904.00 annually for the period from July 12, 2019 through July 10, 2020 to be authorized by execution of the second contract renewal to the Agreement attached hereto as Exhibit "A"; and

**WHEREAS**, the Village Council finds that the renewal of the Agreement 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 Renewal.** The Village Council, of Islamorada, Village of Islands, hereby approves the second contract renewal of the Agreement between the Village and FDOT, 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 his designee is authorized to take all necessary and expedient actions to implement the terms and conditions of this resolution, the Agreement and the second renewal.

**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 and the second renewal.

**Section 5. Execution of Renewal.** The Village Manager is authorized to execute the second renewal on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the Agreement and the second renewal and to execute any extensions and/or amendments to the Agreement or the second renewal, 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.

Motion to adopt by Vice Mayor Mike Forster second by Councilman Ken Davis .

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

Mayor Deb Gillis	YES
Vice Mayor Mike Forster	YES
Councilman Ken Davis	YES
Councilwoman Cheryl Meads	ABSENT
Councilman Jim Mooney	YES

**PASSED AND ADOPTED ON THIS 31<sup>ST</sup> DAY OF JANUARY, 2019.**



DEB GILLIS, MAYOR

ATTEST:

  
KELLY TOTH, 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**

375-020-23  
CONTRACTS ADMINISTRATION  
OGC - 04/06

Contract No.: AS681

Renewal: (1st, 2nd, etc.) 2nd

Financial Project No(s):: 405798-3-78-01

County(ies): Miami-Dade

This Agreement made and entered into this 11<sup>th</sup> day of March, 2019, by and between the State of  
(This date to be entered by DOT only.)  
Florida Department of Transportation, hereinafter called "Department", and Islamorada, Village of Islands 86800 Overseas  
Hwy., Islamorada, Florida 33036 hereinafter called "Contractor".

**WITNESSETH:**

WHEREAS, the Department and the Contractor heretofore on this 27th day of June, 2017  
(This date to be entered by DOT only)  
entered into an Agreement whereby the Department retained the Contractor to perform maintenance of all turf and  
landscape areas within the right-of-way on the State Roads described in "Exhibit A" 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 12th day of July 2019 and ending the 10th day of July 2020 at a cost of \$ 53,904.00.

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

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**Name of Contractor**

Seth Lawless, Village Manager  
Contractor Name and Title

BY: Scott Kelley  
Authorized Signature

Name of Surety

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

BY: Andy Davis  
IS District Secretary or Designee (Signature)

Title: Director of Operations

Legal: Alma D. S.

City \_\_\_\_\_ State \_\_\_\_\_  
By:  2/4/19  
Florida Licensed Insurance Agent or Date  
Attorney-In-Fact (Signature) Roger V. Bryan

**Fiscal:** \_\_\_\_\_

Countersigned: N/A Florida Licensed Insurance Agent Date

Contract No: AS681-R2

Financial Project No(s): 405798-3-78-01

Project Description: Turf and Landscape Maintenance- Department Funded Agreement

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: *Seth Lawless*

Title: Seth Lawless, Village Manager

Date: February 4, 2019



## *Florida Department of Transportation*

**RON DESANTIS**  
**GOVERNOR**

1000 NW 111th Avenue  
Miami, Florida 33172-5800

**KEVIN J. THIBAULT**  
**SECRETARY**

March 25, 2019

Mr. Seth Lawless - Village Manager  
Islamorada, Village of Islands  
86800 Overseas Highway  
Islamorada, FL 33036  
(305) 664-6412  
[seth.lawless@islamorada.fl.us](mailto:seth.lawless@islamorada.fl.us)

Contract Number: AS681-R2  
Financial Project Number: 405798-3-78-01  
Project Description: Turf and Landscape Maintenance- Department Funded Agreement  
County: Miami-Dade

### **NOTICE TO PROCEED**

Dear Mr. Lawless:

The Department and Islamorada, Village of Islands have executed a contract for the Department Funded Agreement (DFA) noted above for a period of one (1) year starting July 12<sup>th</sup>, 2019 through July 10<sup>th</sup>, 2020. The Maintenance Engineer for this agreement is Mr. Brian K. Jimmerson, P.E. He can be reached at (305) 640-7277.

The City may invoice the Department after the end of each quarter according to the schedule below:

1 <sup>st</sup> Quarter	July 12 <sup>th</sup> , 2019 thru October 11 <sup>th</sup> , 2019
2 <sup>nd</sup> Quarter	October 12 <sup>th</sup> , 2019 thru January 11 <sup>th</sup> , 2020
3 <sup>rd</sup> Quarter	January 12 <sup>th</sup> , 2020 thru April 10 <sup>th</sup> , 2020
4 <sup>th</sup> Quarter	April 11 <sup>th</sup> , 2020 thru July 10 <sup>th</sup> , 2020

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

Sincerely,

 Renato Marrero, P.E.  
District Maintenance Engineer

cc: L. Salazar, K. Al-Said, B. Jimmerson, H. Bechtold, E. Taylor, C. Wilson, D6-CFM