

RESOLUTION NO. 2006 - 022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REQUESTING A ONE YEAR CONTRACTUAL EXTENSION FROM BROWARD COUNTY FOR CHALLENGE GRANTS SWR-C-001 EQUESTRIAN PARK SOUTH AND SWR-C-002 EQUESTRIAN PARK NORTH; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE SECOND AMENDMENT TO THE AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 30, 2002, the Town of Southwest Ranches and Broward County entered into Agreements to provide funding for both the north and south portions of the equestrian park; and

WHEREAS, on January 7, 2005, the Town of Southwest Ranches and Broward County entered into Agreements providing one year extensions for both the north and south portions of the equestrian park; and

WHEREAS, the Town respectfully requests Broward County to extend the original Agreements for one additional year in order for the Town to complete the necessary documentation to perfect the grants; and

WHEREAS, the extensions are in accordance with Section 3.1 of the Agreement; and

WHEREAS, the Town Administrator has prepared the necessary documents to provide for extension of the original Agreements.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2. The Town Council hereby respectfully requests an additional one year contractual extension from Broward County for Challenge Grants SWR-C-001 Equestrian Park South and SWR-C-002 Equestrian Park North, which shall extend the term of the grants until January 29, 2007.

Section 3. The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into the Second Amendment to the

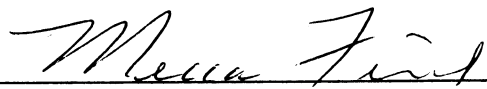
Agreements in substantially the same form as that attached hereto as Exhibit "A" for SWR-C-001 Equestrian Park South and Exhibit "B" for SWR-C-002 Equestrian Park North and to make such modifications, additions and/or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 20th day of December 2005, on a motion by Council Member Aster Knight and seconded by Council Member Don Maines.

Fink	<u>Y</u>
Blanton	<u>Y</u>
Knight	<u>Y</u>
Maines	<u>Y</u>
Nelson	<u>Y</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>



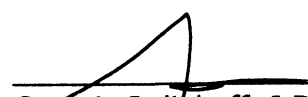
Mecca Fink, Mayor

ATTEST:



Susan A. Owens, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
949539_1.DOC



EXHIBIT A

PARKS AND RECREATION DIVISION

950 N.W. 38TH Street • Oakland Park, Florida 33309-5982 • 954-357-8100 • TTY 954-537-2844 • FAX 954-537-2849

*Winner of the National Gold Medal Award for Excellence in Park and Recreation Management
Accredited by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA)*

November 21, 2005

Mr. John Canada,
Town Manager
Town of Southwest Ranches
6589 SW 160 Avenue
Southwest Ranches, FL 33331

Subject: Request for Challenge Grant Second/Final Extension
Equestrian Park South Project (SWR-C-001)

Dear Mr. Canada:

As you may already be aware, the end of the 2000 Safe Parks and Land Preservation Bond Grant's first agreement extension deadline (and five year Bond Program deadline) is fast approaching. Your Town has determined that it needs the second/final time extension for its project as provided for in the original agreement. I have listed the documents that need to be completed and returned. I am also including a copy of the County-approved Standard Form for the Bond Project's Extension Agreement to be executed by the Town of Southwest Ranches. Should your agency wish an electronic copy, please let me know and I will send it.

No modification of the Extension Agreement Standard Form is permitted without prior approval by the County's legal counsel and Parks and Recreation Division staff. Please review the Extension Agreement and have it executed by your Town. If it was necessary to have a resolution approving the extension and new set of Exhibit B schedules, we will require a copy of said document(s).

Your Challenge Grant Extension Agreement for the Equestrian Park South Project (SWR-C-001) is due to expire on January 29, 2005. Per Agreement (Article 3, Section 3.1) the County requires your written request for the second/last one-year extension to be received by the Division in writing on or before November 29, 2005. Your Town has satisfied this requirement by mailing back the executed Agreement Extension Request form as requested. Since an extension has been requested, I have listed the documents that need to be completed and returned with the Town-executed 2nd Extension Agreement.

The following is a list of documents required to be included with the Town's executed final one-year Agreement Extension:

- 1) A cover letter on official Town of Southwest Ranches letterhead requesting extension, providing background reason for extension, and status of the project at the present time. Please include information on any improvements made to the project since receiving the original and first Extension Bond Agreements.

Broward County Board of County Commissioners

Josephus Eggettation, Jr. • Ben Graber • Sue Gunzburger • Kristin D. Jacobs • Rene Lieberman • John E. Rodstrom, Jr. • Jim Scott • Diana Wasserman-Rubin • Lois Wexler
<http://www.broward.org/parks>

Mr. John Canada, Town Manager
Town of Southwest Ranches
Request for Challenge Grant Final Extension
Equestrian Park South Project (SWR-C-001)
Page 2 November 21, 2005

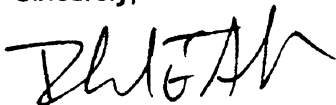
- 2) Should the Agreement need Town Commission approval, please include a copy of the Town's executed Resolution granting permission to make the request for an extension.
- 3) Provide five Town-executed original Extension Agreements ready for Broward County execution. These Agreements will include an up-to-date Exhibit B with a new Completion Timeline and Element Cost Breakdown per Article 3 (Section 3.1 and 3.2) of the original Agreement. (The five agreement copies have been enclosed for your processing).
- 4) Provide a copy of the Town's Certificate of Insurance or Letter of Self-Insurance.

Note: As already authorized, the Broward County Administrator will execute the Final Extension Agreements and I will return a fully executed original to your Town.

Should the Town of Southwest Ranches decide not to request an extension after all, please notify the County in writing and include the approximate completion date for this project. This completion date may not be after the expiration date for the First Extension Agreement. You are reminded that a project is only considered completed once the Town has been reimbursed in full, is open to the public, and a final Certificate of Occupancy (CO) has been issued. If the project is physically complete and open, but the Town has not been reimbursed in full or is missing the issuance of a final CO, your project is not complete and an Extension Agreement needs to be executed.

As always, should you have any questions, concerns, or require additional information, please feel free to contact me at 954-357-7971, fax at 954-537-2889, or email at rallen@broward.org. Thank you for your continued participation in this program.

Sincerely,



Richard F. Allen
Contracts/Grants Administrator II

RFA
Attachment

c: Stephen Popiel, Administrative Manager II, Bond Administration, Division
December Lauretano, Program Manager, Southwest Ranches
File

SECOND AMENDMENT

to

A G R E E M E N T

Between

BROWARD COUNTY

and

TOWN OF SOUTHWEST RANCHES

for

BROWARD COUNTY CHALLENGE GRANT PROGRAM

(GOVERNMENTAL ENTITY FORM)

PROJECT NO. SWR-C-001

(EQUESTRIAN PARK SOUTH)

\$176,548

SECOND AMENDMENT

to

A G R E E M E N T

Between

BROWARD COUNTY

and

TOWN OF SOUTHWEST RANCHES

for

BROWARD COUNTY CHALLENGE GRANT PROGRAM

This Second Amendment to Agreement, made and entered into by and between BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

and

TOWN OF SOUTHWEST RANCHES, a municipal corporation of the State of Florida, hereinafter referred to as "CONTRACTOR."

WHEREAS, COUNTY and CONTRACTOR entered into an Agreement on January 29, 2005, and a subsequent First Amendment to Agreement dated January 7, 2005, providing funding to CONTRACTOR pursuant to the 2000 Broward County Safe Parks and Land Preservation Bond Issue for construction of certain recreational facilities within the geographic boundaries of Broward County (the "Project"); and

WHEREAS, in accordance with Section 3.1 of the original Agreement, CONTRACTOR has provided COUNTY with its written request for an additional extension of time to complete the Project as set forth in Exhibit "B," and

WHEREAS, COUNTY is willing to enter into this Second Amendment to Agreement providing for the final extension of one (1) year to the time for completion of the Project set forth in Revised Exhibit "B" attached hereto, NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, COUNTY and CONTRACTOR agree as follows:

1. The above recitals are true and correct and are incorporated herein as if set forth in full hereunder.
2. Pursuant to Section 3.1 of the original Agreement, CONTRACTOR has requested in writing and COUNTY has agreed to grant the second and final of two (2) permissible one (1) year extensions to the time for completion of the Project. The revised Exhibit "B" attached hereto reflects inclusion of the second and final one (1) year extension within the revised Project timetable.
3. This second and final one (1) year extension shall be effective commencing **January 30, 2006**, and ending **January 29, 2007**.
4. Except as provided for in this Second Amendment to Agreement, all terms and conditions set forth in the original Agreement not in conflict herewith shall remain in force and effect.
5. Multiple copies of this Second Amendment to Agreement may be fully executed by all parties, each of which shall be deemed to be an original.

-Remainder of page intentionally left blank-

IN WITNESS WHEREOF, the parties hereto have made and executed this Second Amendment to Agreement: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its County Administrator, authorized to execute same pursuant to Section 3.1 of the original Agreement, and TOWN OF SOUTHWEST RANCHES, signing by and through its OFFICER, duly authorized to execute same.

COUNTY

WITNESSES:

BROWARD COUNTY, by and through its
County Administrator

By _____
County Administrator

_____ day of _____ 20____.

Insurance requirements
approved by Broward County
Risk Management Division

Approved as to form by
Office of the County Attorney
Jeffrey J. Newton, County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____

By _____
Patrice M. Eichen
Assistant County Attorney

**SECOND AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND TOWN
OF SOUTHWEST RANCHES FOR BROWARD COUNTY CHALLENGE GRANTS
PROGRAM**

CONTRACTOR

WITNESSES:

TOWN OF SOUTHWEST RANCHES

By _____

(Insert title)

ATTEST:

_____ day of _____, 20____.

Town Clerk

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Town Attorney

Revised Exhibit "B"

(To be inserted)

Revised EXHIBIT "B"

Project Description: Volunteer Road South Park Improvement Project to include: Internal Trails, Berm Seating, Covered Picnic Extension, Judges Viewing Box and Practice Sand Ring

<u>Project Element</u>	<u>Cost</u>	<u>Estimated Completion Date</u>
Internal Trail System	\$ 42,307	June 2006
6-foot Berm Seating	\$ 11,167	June 2006
Covered Picnic Extension	\$ 84,525	June 2006
Judges' Viewing Box	\$ 20,000	June 2006
Sand Practice Ring	\$ 18,549	June 2006
Contingency	\$.00	June 2006
Total	\$ 176,548	



EXHIBIT B

PARKS AND RECREATION DIVISION
950 N.W. 38TH Street • Oakland Park, Florida 33309-5982 • 954-357-8100 • TTY 954-537-2844 • FAX 954-537-2849

*Winner of the National Gold Medal Award for Excellence in Park and Recreation Management
Accredited by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA)*

November 21, 2005

Mr. John Canada,
Town Manager
Town of Southwest Ranches
6589 SW 160 Avenue
Southwest Ranches, FL 33331

Subject: Request for Challenge Grant Second/Final Extension
Equestrian Park North Project (SWR-C-002)

Dear Mr. Canada:

As you may already be aware, the end of the 2000 Safe Parks and Land Preservation Bond Grant's first agreement extension deadline (and five year Bond Program deadline) is fast approaching. Your Town has determined that it needs the second/final time extension for its project as provided for in the original agreement. I have listed the documents that need to be completed and returned. I am also including a copy of the County-approved Standard Form for the Bond Project's Extension Agreement to be executed by the Town of Southwest Ranches. Should your agency wish an electronic copy, please let me know and I will send it.

No modification of the Extension Agreement Standard Form is permitted without prior approval by the County's legal counsel and Parks and Recreation Division staff. Please review the Extension Agreement and have it executed by your Town. If it was necessary to have a resolution approving the extension and new set of Exhibit B schedules, we will require a copy of said document(s).

Your Challenge Grant Extension Agreement for the Equestrian Park North Project (SWR-C-002) is due to expire on January 29, 2005. Per Agreement (Article 3, Section 3.1) the County requires your written request for the second/last one-year extension to be received by the Division in writing on or before November 29, 2005. Your Town has satisfied this requirement by mailing back the executed Agreement Extension Request form as requested. Since an extension has been requested, I have listed the documents that need to be completed and returned with the Town-executed 2nd Extension Agreement.

The following is a list of documents required to be included with the Town's executed final one-year Agreement Extension:

- 1) A cover letter on official Town of Southwest Ranches letterhead requesting extension, providing background reason for extension, and status of the project at the present time. Please include information on any improvements made to the project since receiving the original and first Extension Bond Agreements.

Broward County Board of County Commissioners
Josephus Eggleston, Jr. • Ben Graber • Sue Gunzburger • Kristin D. Jacobs • Ilene Lieberman • John E. Rodstrom, Jr. • Jim Scott • Diana Wasserman-Rubin • Lois Wedder
<http://www.broward.org/parks>

Mr. John Canada, Town Manager
Town of Southwest Ranches
Request for Challenge Grant Final Extension
Equestrian Park North Project (SWR-C-002)
Page 2 November 21, 2005

- 2) Should the Agreement need Town Commission approval, please include a copy of the Town's executed Resolution granting permission to make the request for an extension.
- 3) Provide five Town-executed original Extension Agreements ready for Broward County execution. These Agreements will include an up-to-date Exhibit B with a new Completion Timeline and Element Cost Breakdown per Article 3 (Section 3.1 and 3.2) of the original Agreement. (The five agreement copies have been enclosed for your processing).
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Note: As already authorized, the Broward County Administrator will execute the Final Extension Agreements and I will return a fully executed original to your Town.

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As always, should you have any questions, concerns, or require additional information, please feel free to contact me at 954-357-7971, fax at 954-537-2869, or email at rallen@broward.org. Thank you for your continued participation in this program.

Sincerely,



Richard F. Allen
Contracts/Grants Administrator II

RFA
Attachment

c: Stephen Popiel, Administrative Manager II, Bond Administration, Division
December Lauretano, Program Manager, Southwest Ranches
File

SECOND AMENDMENT

to

A G R E E M E N T

Between

BROWARD COUNTY

and

TOWN OF SOUTHWEST RANCHES

for

BROWARD COUNTY CHALLENGE GRANT PROGRAM

(GOVERNMENTAL ENTITY FORM)

PROJECT NO. SWR-C-002

(EQUESTRIAN PARK NORTH)

\$500,000

SECOND AMENDMENT

to

A G R E E M E N T

Between

BROWARD COUNTY

and

TOWN OF SOUTHWEST RANCHES

for

BROWARD COUNTY CHALLENGE GRANT PROGRAM

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WHEREAS, in accordance with Section 3.1 of the original Agreement, CONTRACTOR has provided COUNTY with its written request for an additional extension of time to complete the Project as set forth in Exhibit "B," and

WHEREAS, COUNTY is willing to enter into this Second Amendment to Agreement providing for the final extension of one (1) year to the time for completion of the Project set forth in Revised Exhibit "B" attached hereto, NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, COUNTY and CONTRACTOR agree as follows:

1. The above recitals are true and correct and are incorporated herein as if set forth in full hereunder.
2. Pursuant to Section 3.1 of the original Agreement, CONTRACTOR has requested in writing and COUNTY has agreed to grant the second and final of two (2) permissible one (1) year extensions to the time for completion of the Project. The revised Exhibit "B" attached hereto reflects inclusion of the second and final one (1) year extension within the revised Project timetable.
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COUNTY

WITNESSES:

BROWARD COUNTY, by and through its
County Administrator

By _____
County Administrator

_____ day of _____ 20____.

Insurance requirements
approved by Broward County
Risk Management Division

Approved as to form by
Office of the County Attorney
Jeffrey J. Newton, County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____

By _____
Patrice M. Eichen
Assistant County Attorney

**SECOND AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND TOWN
OF SOUTHWEST RANCHES FOR BROWARD COUNTY CHALLENGE GRANTS
PROGRAM**

CONTRACTOR

WITNESSES:

ATTEST:

Town Clerk

(CORPORATE SEAL)

TOWN OF SOUTHWEST RANCHES

By _____

(Insert title)

_____ day of _____, 20____.

APPROVED AS TO FORM:

By _____
Town Attorney

Revised Exhibit "B"

(To be inserted)

Revised EXHIBIT "B"

Project Description: Volunteer Road North Park Improvement Project to include: clearing site, internal and external trail system, pavilion, playground, perimeter fencing, overflow parking and landscaping

Project Element	Cost	Estimated Completion Date
Clearing and Grubbing	\$ 130,000	June 2006
Internal Trail System	\$ 31,119	June 2006
Storm Water Storage	\$ 77,746	June 2006
Sitting Pavilion	\$ 23,226	June 2006
Playground	\$ 80,759	June 2006
Perimeter Fencing	\$ 14,257	June 2006
Overflow Parking	\$ 18,268	June 2006
Landscaping	\$ 246,989	June 2006
External Trail System	\$ 2,636	June 2006
Contingency	\$.00	June 2006
Total	\$ 625,000	