

RESOLUTION NO. 2010 - 031

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE SECOND MODIFICATION TO THE AGREEMENT WITH CSA GROUP; EXTENDING THE AGREEMENT UNTIL FEBRUARY 28, 2010; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE SECOND MODIFICATION TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 5, 2006, pursuant to Resolution No. 2007-001, the Town Council approved an Agreement with CSA Group for plans review and building inspection services; and

WHEREAS, on October 15, 2009, pursuant to Resolution No. 2010-009, the Town Council approved the First Modification to the Agreement, which extended the Agreement until February 1, 2010; and

WHEREAS, the Town Administrator seeks an additional extension to either discuss potential Agreement modifications or to re-issue a new procurement for these services; and

WHEREAS, the Town Council believes that this extension is in the best interest of the health, safety, and welfare of its residents; and

WHEREAS, this Resolution and the attached Second Modification to the Agreement seek to extend the Agreement through February 28, 2010.

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

Section 1: The above-referenced recitals are true and correct and are incorporated herein by reference.

Section 2: The Town Council hereby approves the Second Modification to the Agreement between the Town of Southwest Ranches and CSA Group, which extends the term of the Agreement until February 28, 2010, as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

Section 3: The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into the First Modification to the Agreement in substantially the same form as that attached hereto as Exhibit "A" and to make such modifications, additions and/or deletions which they deem necessary to effectuate the intent of this Resolution.

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

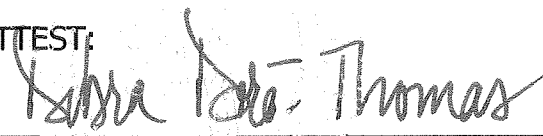
PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 7th day of January, 2010, on a motion by Council Member Breitkreuz and seconded by Council Member Fisikelli.

Nelson	<u> AYE </u>	Ayes	<u> 5 </u>
Knight	<u> AYE </u>	Nays	<u> 0 </u>
Breitkreuz	<u> AYE </u>	Absent	<u> 0 </u>
Fisikelli	<u> AYE </u>	Abstaining	<u> 0 </u>
McKay	<u> AYE </u>		



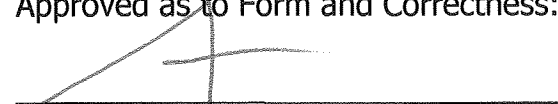
Jeff Nelson, Mayor

ATTEST:



Debra Dore'-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:



Gary A. Poliakoff, J.D., Town Attorney
ACTIVE: 2848787_1

EXHIBIT "A"

SECOND MODIFICATION TO AGREEMENT

THIS SECOND MODIFICATION TO AGREEMENT entered into as of the 28th day of January, 2010 between the Town of Southwest Ranches, a municipal corporation of the State of Florida (the "Town") and CSA SOUTHEAST, INC., a corporation of the State of Florida ("CSA Group"), for the purpose of modifying the Agreement between the Town and CSA Group effective October 5, 2006 (the "Original Agreement").

WITNESSETH:

WHEREAS, on October 5, 2006, pursuant to Resolution No. 2007-001, the Town Council approved an Agreement with CSA Group for plans review and building inspection services; and

WHEREAS, on October 15, 2009, pursuant to Resolution No. 2010-009, the Town Council approved the First Modification to the Agreement, which extended the Agreement until February 1, 2010; and

WHEREAS, the Town Administrator seeks an additional extension to either discuss potential Agreement modifications or to re-issue a new procurement for these services; and

WHEREAS, this Second Modification to the Agreement seek to extend the Agreement through February 28, 2010.

NOW THEREFORE, for and in consideration of the premises and for Ten Dollars (\$10.00) and for other good and valuable consideration the receipt and sufficiency whereof is hereby acknowledged, the parties hereto agree that the Original Agreement shall be amended as follows:

1. The foregoing recitals are true and correct.

2. Article 3 "TERM OF AGREEMENT" shall be amended to read as follows:

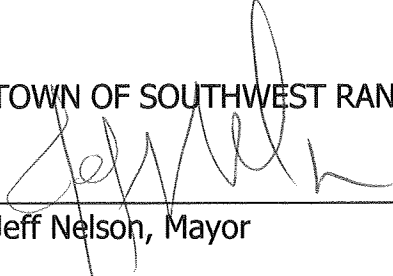
ARTICLE 3
TERM OF AGREEMENT

3.1 This Agreement shall become effective on November 1, 2006 (the Effective Date), and shall continue in full force and effect until ~~February 1, 2010~~ February 28, 2010, with extensions to be approved by the TOWN and CSA, unless earlier terminated in accordance with paragraph 3.2 hereof.

3. All other terms and conditions not modified herein shall remain of full force and effect and binding on the parties.


IN WITNESS WHEREOF, this Modification is accepted and executed as of the 28th day of January, 2010.

TOWN OF SOUTHWEST RANCHES




Jeff Nelson, Mayor

CSA SOUTHEAST, INC.



CAROL A. PENIN, PRESIDENT

Attest:




Debra Dore-Thomas, CMC, Town Clerk

Approved as to form and correctness:



Gary A. Poliakoff, Town Attorney



Witness



Witness

ACTIVE: 2848787_1