

**RESOLUTION NO. 2011 - 038**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FIFTH MODIFICATION TO THE AGREEMENT WITH CSA GROUP; EXTENDING THE AGREEMENT UNTIL JULY 31, 2011; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE FIFTH 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**, on January 7, 2010, pursuant to Resolution No. 2010-031, the Town Council approved the Second Modification to the Agreement, which extended the Agreement until February 28, 2010; and

**WHEREAS**, on February 18, 2010, pursuant to Resolution No. 2010-036, the Town Council approved the Third Modification to the Agreement, which extended the Agreement until April 1, 2010; and

**WHEREAS**, on March 4, 2010, CSA presented the Town Council with a fully interactive web-based permitting system, which it agreed to have in place by April 2010; and

**WHEREAS**, on March 24, 2010, pursuant to Resolution No. 2011-045, the Town Council approved the Fourth Modification to the Agreement, to extend CSA's agreement through March 31, 2011; and

**WHEREAS**, the Town Council believes that an extension is in the best interest of the health, safety, and welfare of its residents.

**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 Fifth Modification to the Agreement between the Town of Southwest Ranches and CSA Group, which extends the term of the Agreement until July 31, 2011, as set forth in Exhibit "A," attached hereto and incorporated herein by reference.

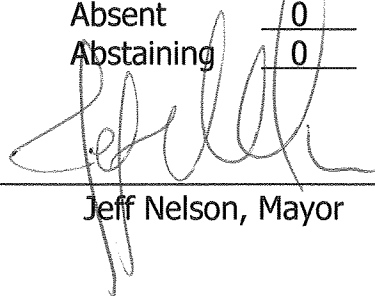
**Section 3:** The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into the Third Modification to the Agreement in substantially the same form as that attached hereto as Exhibit "A" and to make such modifications, additions and/or deletions which they deem necessary 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 10<sup>th</sup> day of March, 2011, on a motion by Council Member Breitkreuz and seconded by Vice Mayor Fisikelli.

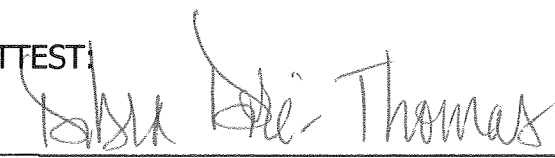
Nelson	<u>AYE</u>
Fisikelli	<u>AYE</u>
Breitkreuz	<u>AYE</u>
Jablonski	<u>AYE</u>
McKay	<u>AYE</u>

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



\_\_\_\_\_  
Jeff Nelson, Mayor

ATTEST:



\_\_\_\_\_  
Debra Doré-Thomas, CMC, Town Clerk

Approved as to Form and Correctness:

  
\_\_\_\_\_  
Keith Poliakoff, Town Attorney

ACTIVE: 3255368\_1

**EXHIBIT "A"**

**FIFTH MODIFICATION TO AGREEMENT**

**THIS FIFTH MODIFICATION TO AGREEMENT** entered into as of the 4<sup>th</sup> day of APRIL, 2011 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**, on January 7, 2010, pursuant to Resolution No. 2010-031, the Town Council approved the Second Modification to the Agreement, which extended the Agreement until February 28, 2010; and

**WHEREAS**, on February 18, 2010, pursuant to Resolution No. 2010-036, the Town Council approved the Third Modification to the Agreement, which extended the Agreement until April 1, 2010; and

**WHEREAS**, on March 4, 2010, CSA presented the Town Council with a fully interactive web-based permitting system, which it agreed to have in place by April 2010; and

**WHEREAS**, on March 24, 2010, pursuant to Resolution No. 2011-045, the Town Council approved the Fourth Modification to the Agreement, to extend CSA's agreement through March 31, 2011.

**WHEREAS**, the Town finds this permitting system to meet the needs of the Town and its residents and desires to extend the Agreement through July 31, 2011.

**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 ~~March 31, 2011~~ July 31, 2011, 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 Fifth Modification is accepted and executed as of the 4th day of April, 2011.


TOWN OF SOUTHWEST RANCHES

  
\_\_\_\_\_  
Jeff Nelson, Mayor

CSA SOUTHEAST, INC.

  
\_\_\_\_\_  
CARLOS A. PENIN, PRESIDENT

Attest:

  
\_\_\_\_\_  
Debra Doré-Thomas, CMC, Town Clerk

  
\_\_\_\_\_  
Witness

Approved as to form and correctness:

  
\_\_\_\_\_  
Keith Poliakoff, Town Attorney

  
\_\_\_\_\_  
Witness

ACTIVE: 3255368\_1