

RESOLUTION NO. 2012 – 010

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE SEVENTH MODIFICATION TO THE AGREEMENT WITH CSA GROUP; EXTENDING THE AGREEMENT UNTIL FEBRUARY 29, 2012; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE SEVENTH 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, on March 10, 2011, pursuant to Resolution No. 2011-038, the Town Council approved the Fifth Modification to the Agreement, which extended the Agreement until July 31, 2011; and

WHEREAS, on June 23, 2011, pursuant to Resolution No. 2011-069, the Town Council approved the Sixth Modification to the Agreement, which extended the Agreement until November 30, 2011; 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 Seventh Modification to the Agreement seek to extend the Agreement through February 29, 2012.

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 Seventh Modification to the Agreement between the Town of Southwest Ranches and CSA Group, which extends the term of the Agreement until February 29, 2012, 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 Seventh 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 November 2011, on a motion by Vice Mayor Fisikelli and seconded by Council Member McKay.

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

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


Jeff Nelson, Mayor

ATTEST:


Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, J.D., Town Attorney

ACTIVE: 3563352_1

EXHIBIT "A"

SEVENTH MODIFICATION TO AGREEMENT

THIS SEVENTH MODIFICATION TO AGREEMENT entered into as of the 7th day of November, 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 August 1, 2011 (the "Original Agreement").

WITNESSETH:

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, on March 10, 2011, pursuant to Resolution No. 2011-038, the Town Council approved the Fifth Modification to the Agreement, which extended the Agreement until July 31, 2011; and

WHEREAS, on June 23, 2011, pursuant to Resolution No. 2011-069, the Town Council approved the Seventh Modification to the Agreement, which extended the Agreement until November 30, 2011; and

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

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 December 1, 2011 (the Effective Date), and shall continue in full force and effect until February 29, 2012, 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 8th day of December, 2011.

TOWN OF SOUTHWEST RANCHES



Jeff Nelson, Mayor

CSA SOUTHEAST, INC.


CARLOS A. PENIN, PRESIDENT


Bert Wrains, Interim Town Administrator

Attest:


Erika Gonzalez-Santamaria, CMC, Town Clerk


Witness

Approved as to form and correctness:


Keith M. Poliakoff, Town Attorney
ACTIVE: 3563302-1


Witness

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TOWN OF SOUTHWEST RANCHES


Jeff Nelson, Mayor

CSA SOUTHEAST, INC.


CARLOS A. PENIN, PRESIDENT


Bert Wrains, Interim Town Administrator

Attest:


Erika Gonzalez-Santamaria, CMC, Town Clerk


Witness

Approved as to form and correctness:


Keith M. Poliakoff, Town Attorney

ACTIVE: 3563382


Witness