

## **RESOLUTION 2012 - 024**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST MODIFICATION TO THE AGREEMENT WITH MIGUEL LOPEZ, JR., INC. TO PROVIDE ROADWAY AND TRAFFIC SIGNAGE MAINTENANCE SERVICES TO THE TOWN; AUTHORIZING THE MAYOR, TOWN ADMINSTRATOR, AND TOWN ATTORNEY TO ENTER INTO THE FIRST AMENDMENT TO AGREEMENT AS ATTACHED HERETO AS EXHIBIT "A"; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on December 11, 2008, the Town Council adopted Resolution No. 2009-030 approving the contract with Miguel Lopez, Jr., Inc. to provide roadway and traffic signage maintenance services to the Town; and

**WHEREAS**, the initial term of agreement expires on December 11, 2011; and

**WHEREAS**, Section 4 of the Agreement provides that the agreement is effective for three years and the town reserves the right to extend the agreement for two additional two (2) year terms provided that both parties agree that all the terms, conditions and specifications remain the same and the extension is approved in writing by the town administrator; and

**WHEREAS**, Miguel Lopez, Jr., Inc. indicated their desire to continue their services; and

**WHEREAS**, Miguel Lopez, Jr., Inc. requests extension of the agreement; and

**WHEREAS**, a first modification to Agreement with Miguel Lopez, Jr., Inc. will extend the contract one hundred twenty (120) days from December 11, 2011 to April 9, 2012; and

**WHEREAS**, the Town is desirous in entering into this contract extension.

**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 hereby approves the First Amendment to the Agreement with Miguel Lopez, Jr., Inc., which extends the term of agreement until April 9, 2012, in substantially the same form as attached hereto as Exhibit "A".

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

**Section 4.** That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches, Florida, this 22 day of December, 2011, on a motion by Council Member Breitkreuz and seconded by Vice Mayor McKay.

Nelson	<u>YES</u>
McKay	<u>YES</u>
Breitkreuz	<u>YES</u>
Fisikelli	<u>YES</u>
Jablonski	<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, Town Attorney  
ACTIVE: 3612520\_1

**Exhibit "A"**

**FIRST MODIFICATION TO AGREEMENT**

**THIS FIRST MODIFICATION TO AGREEMENT** entered into as of this 22<sup>nd</sup> day of December, 2011 between the Town of Southwest Ranches, a municipal corporation of the State of Florida (the "Town") and Miguel Lopez, Jr., Inc., consultant firm doing business or authorized to do business in the State of Florida, for the purpose of amending the Agreement between the Town and Miguel Lopez Jr., Inc. to provide roadway and traffic signage maintenance services, dated December 11<sup>th</sup>, 2008.

**WITNESSETH:**

**WHEREAS**, on December 11, 2008, the Town Council adopted Resolution No. 2009-030 approving the contract with Miguel Lopez, Jr., Inc. to provide roadway and traffic signage maintenance services to the Town; and

**WHEREAS**, the initial term of agreement expires on December 11, 2011; and

**WHEREAS**, Section 4 of the Agreement provides that the agreement is effective for three years and the town reserves the right to extend the agreement for two additional two (2) year terms provided that both parties agree that all the terms, conditions and specifications remain the same and the extension is approved in writing by the town administrator; and

**WHEREAS**, Miguel Lopez, Jr., Inc. indicated their desire to continue their services; and

**WHEREAS**, Miguel Lopez, Jr., Inc. requests extension of the agreement; and

**WHEREAS**, a first modification to Agreement with Miguel Lopez, Jr., Inc. will extend the contract one hundred twenty (120) days from December 11, 2011 to April 9, 2012; and

**WHEREAS**, the Town is desirous in entering into this contract extension.

**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 4 "Effective Date & Term", shall be amended to read as follows:

**Section 4: Effective Date & Term**

This Agreement shall become effective on December 11, 2008, ~~the last date of execution by either of the Parties to this Agreement.~~ The Agreement shall be effective through April 9, 2012. ~~for three (3) years and~~ the ~~The~~ TOWN reserves the right to extend the Agreement for ~~two~~ one additional two (2) year terms, provided that both parties agree that all the terms, conditions and specifications remain the same and the extension is approved in writing by the Town Council~~Administrator~~.

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 First Modification is accepted and executed as of this 22<sup>nd</sup> day of December 2011.

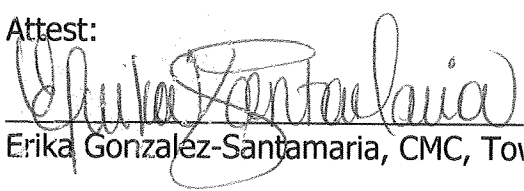
TOWN OF SOUTHWEST RANCHES

  
Jeff Nelson, Mayor

MIGUEL LOPEZ JR., INC.

  
Miguel Lopez Jr., President

Attest:

  
Erika Gonzalez-Santamaria, CMC, Town Clerk

  
Witness

Approved as to form and correctness:

  
Keith M. Poliakoff, Town Attorney  
ACTIVE: 3612520\_1

  
Witness



## Town of Southwest Ranches

Erika Gonzalez-Santamaria, CMC  
Town Clerk

Miguel Lopez, Jr., Inc.  
7711 Northwest 74<sup>th</sup> Avenue  
Suite #3  
Medley, FL 33160

January 6, 2012

Mr. Lopez:

Enclosed with this letter I am forwarding you a copy of the first modification to agreement that was executed by the Town.

The document requires your signature. Once these have been executed please send one original agreement back to the Town to the following address:

Town of Southwest Ranches  
13400 Griffin Road  
Southwest Ranches, FL 33330  
Attn: Erika Santamaria, Town Clerk

If you have any questions, please don't hesitate to contact me at (954) 434-0008.

Thank you in advance for your attention on this matter.

Best regards,



Erika Santamaria, CMC, Town Clerk  
Town of Southwest Ranches