

**RESOLUTION NO. 2012 - 042**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SECOND 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 SECOND 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**, on December 22, 2011, pursuant to Resolution No. 2012-024, the Town Council approved the First Amendment to its Agreement with Miguel Lopez Jr., which extended the term of the Agreement for one hundred and twenty days (120) until April 9, 2012; and

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

**WHEREAS**, the Town is desirous in entering into this contract extension until October 31, 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 hereby approves the Second Amendment to the Agreement with Miguel Lopez, Jr., Inc., which extends the term of agreement until October 31, 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 Second 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 12<sup>th</sup> day of April, 2012, on a motion by Vice Mayor McKay and seconded by Council Member Jablonski.

Nelson	<u>YES</u>
Breitkreuz	<u>YES</u>
Fisikelli	<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, Town Attorney

ACTIVE: 3785408\_1

**Exhibit "A"**

**SECOND MODIFICATION TO AGREEMENT**

**THIS SECOND MODIFICATION TO AGREEMENT** entered into as of this 10<sup>th</sup> day of May, 2012 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**, on December 22, 2011, pursuant to Resolution No. 2012-024, the Town Council approved the First Amendment to its Agreement with Miguel Lopez Jr., which extended the term of the Agreement for one hundred and twenty days (120) until April 9, 2012; and

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

**WHEREAS**, the Town is desirous in entering into this contract extension until October 31, 2012.

**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 April 9, 2012, ~~the last date of execution by either of the Parties to this Agreement.~~ The Agreement shall be effective through October 31, 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 10<sup>th</sup> day of May 2012.

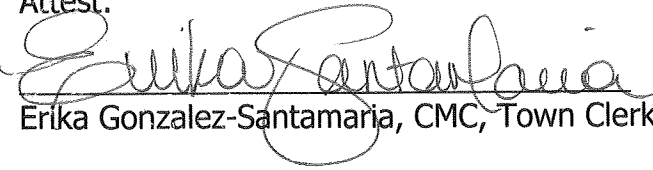
TOWN OF SOUTHWEST RANCHES

  
Jeff Nelson, Mayor

MIGUEL LOPEZ JR., INC.

 5/7/12  
Miguel Lopez Jr., President

Attest:

  
Erika Gonzalez-Santamaria, CMC, Town Clerk

  
Witness

Approved as to form and correctness:

  
Keith M. Poliakoff, Town Attorney  
ACTIVE: 3785408\_1

  
Witness