

**RESOLUTION NO. 2013 - 024**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE TOWN'S AGREEMENT WITH KESSLER CONSULTING, INC. TO INCLUDE ADDITIONAL SERVICES FOR THE PROCUREMENT OF THE TOWN'S SOLID WASTE DISPOSAL AND RECYCLABLES PROCESSING SERVICES PROVIDER(S); AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AMENDED AGREEMENT, IN SUBSTANTIALLY THE SAME FORM AS EXHIBIT "A", WITH KESSLER CONSULTING INC., IN AN AMOUNT NOT TO EXCEED \$30,000; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on January 18, 2011, in furtherance of the Town's Procurement Code, the Town published a Request for Letters of Interest (RLI) procuring qualified consultants for Drafting Solid Waste Contract RFP Specifications; and

**WHEREAS**, on March 29, 2011, the Town's Selection and Negotiation Committee ranked Kessler Consulting, Inc. as the highest ranked proposal; and

**WHEREAS**, on May 26, 2011, pursuant to Resolution No. 2011-65, the Town entered into an Agreement with Kessler Consulting, Inc. ("Kessler"), to assist the Town in Drafting Solid Waste Contract RFP Specifications; and

**WHEREAS**, on March 8, 2012, pursuant to Resolution No. 2012-030, the Town Council approved the First Amendment to the Agreement, providing for additional expertise and services for the Town;

**WHEREAS**, unbeknownst to the Town at that time, the Town is now desirous of procuring a vendor to provide solid waste disposal and recyclables processing services to the Town; and

**WHEREAS**, as a direct result of Kessler's special knowledge obtained from its prior procurement, the Town Council believes that Kessler is the only vendor who could timely assist the Town in conducting this second procurement; and

**WHEREAS**, Section 2 of the Town's Agreement with the Kessler enables the Town to seek additional services; and

**WHEREAS**, the Town Council believes that the procurement of a vendor to provide solid waste disposal and recyclables processing services is in the best interest of the Town; and

**WHEREAS**, the Town Council believes that Kessler is best able to assist the Town in this procurement process.

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

**Section 1.** The above recitals are true and correct and are incorporated herein by reference.

**Section 2.** The Town Council hereby approves the Second Amendment to the Town's Agreement with Kessler Consulting, Inc. to assist the Town in procuring a vendor to provide solid waste disposal and recyclables processing services, in substantially the same for as that attached hereto as Exhibit "A," which is incorporated herein by reference.

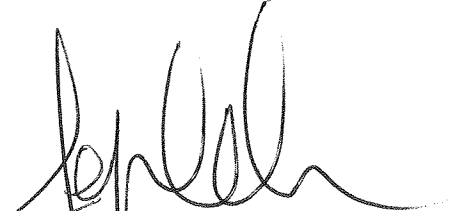
**Section 3:** The Town Council hereby authorizes the Mayor, Town Administrator, and Town Attorney to enter into the Second Amendment to the Agreement in an amount not to exceed Thirty Thousand Dollars (\$30,000), to assist the Town in drafting the procurement specifications, assisting in the procurement process, and providing assistance in drafting the final agreement with the selected vendor(s).

**Section 4:** The Town Council authorizes the Mayor, Town Administrator, and Town Attorney to enter into an 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 and proper to effectuate the intent of this Resolution.

**Section 5:** 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 January, 2013, on a motion by Council Member McKay and seconded by Vice Mayor Breitkreuz.

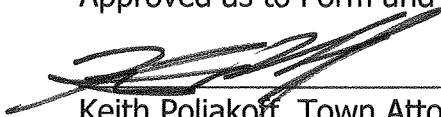
Nelson	<u>YES</u>	Ayes	<u>5</u>
Breitkreuz	<u>YES</u>	Nays	<u>0</u>
Fisikelli	<u>YES</u>	Absent	<u>0</u>
Jablonski	<u>YES</u>	Abstaining	<u>0</u>
McKay	<u>YES</u>		

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

ATTEST:

  
\_\_\_\_\_  
Erika Gonzalez-Santamaria, CMC, Town Clerk

Approved as to Form and Correctness:

  
\_\_\_\_\_  
Keith Poliakoff, Town Attorney  
ACTIVE: 4323276\_1