

RESOLUTION 2017-060

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE THIRD MODIFICATION TO THE AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES AND WEEKLEY ASPHALT PAVING, INC. FOR ROADWAY REPAIR AND TRAFFIC SIGN MAINTENANCE SERVICES; APPROVING AN ADDITIONAL ONE (1) YEAR TERM; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO THE THIRD MODIFICATION TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 23, 2012, the Town advertised Invitation for Bid (IFB) No. 12-010 for "Continuing Contract for Roadway Repairs and Traffic Signs Maintenance Services;" and

WHEREAS, Weekley Asphalt Paving, Inc.'s bid was found the most responsive and responsible; and

WHEREAS, on October 25, 2012, the Town entered into an agreement with Weekley Asphalt Paving, Inc. by Resolution 2013-005 (the "Agreement"); and

WHEREAS, the continuing contract allows the Town to use Weekley Asphalt Paving, Inc. on an as-needed basis to repair roads and to maintain/replace traffic signs in accordance with the IFB and accompanying Agreement; and

WHEREAS, on October 15, 2015, the Town Council adopted Resolution 2016-001 authorizing the First Modification to the Agreement, which extended the term through November 2, 2016; and

WHEREAS, on October 27, 2016, the Town Council adopted Resolution 2017-007 authorizing the Second Modification to the Agreement, which extended the term until November 2, 2017; and

WHEREAS, Section 2 of the Agreement allows the Agreement to be extended for up to three (3) one-year extensions, at the sole discretion of the Town Council; and

WHEREAS, the Town of Southwest Ranches desires to exercise its third one (1) year extension and to extend the Agreement through November 2, 2018.

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

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

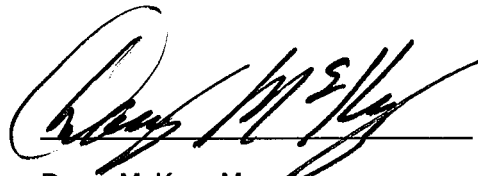
Section 2. Approval. The Town Council hereby approves the Third Modification to the Agreement between the Town of Southwest Ranches and Weekley Asphalt Paving, Inc. for Roadway Repair and Traffic Sign Maintenance Services for an additional one (1) year term, specifically through November 2, 2018.

Section 3. Authorization. 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. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 13th day of September, 2017 on a motion by Vice Mayor Breitzkreuz and seconded by Council Member Schroeder.

| | | | |
|-------------|------------|------------|----------|
| McKay | <u>Yes</u> | Ayes | <u>5</u> |
| Breitzkreuz | <u>Yes</u> | Nays | <u>0</u> |
| Fisikelli | <u>Yes</u> | Absent | <u>0</u> |
| Jablonski | <u>Yes</u> | Abstaining | <u>0</u> |
| Schroeder | <u>Yes</u> | | |




Doug McKay, Mayor

Attest:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:



Keith Poliakov, Town Attorney

EXHIBIT A

**THIRD MODIFICATION TO THE AGREEMENT BY AND BETWEEN
THE TOWN OF SOUTHWEST RANCHES, FLORIDA AND WEEKLEY
ASPHALT PAVING, INC. FOR ROADWAY REPAIR AND TRAFFIC
SIGNS MAINTENANCE SERVICES**

THIS THIRD MODIFICATION is make and entered into the 13th day of September 2017 by and between the Town of Southwest Ranches, Florida municipal corporation created and existing under the laws of the State of Florida, (hereinafter referred to as "Town") and Weekley Asphalt Paving Inc. for Roadway Repair and Traffic Signs Maintenance Services, (hereinafter referred as "Contractor").

WITNESSETH:

WHEREAS, on August 23, 2012, the Town advertised Invitation of Bid No. 12-010 for "Continuing Contract for Roadway Repairs and Traffic Signs Maintenance Services;" and

WHEREAS, the bid by Weekley Asphalt Paving Inc. was found the most responsive and responsible; and

WHEREAS, on October 25, 2012, the Town entered into an agreement with Weekley Asphalt Paving, Inc. pursuant to Resolution 2013-005 (the "Agreement"); and

WHEREAS, the continuing contract allows the Town to use Weekley Asphalt Paving, Inc. on an as-needed basis to repair roads and to maintain traffic signs in accordance with the IFB and accompanying Agreement; and

WHEREAS, on October 15, 2015, the Town Council adopted Resolution 2016-001 authorizing the First Modification to the Agreement, which extended the term through November 2, 2016; and

WHEREAS, on October 27, 2016, the Town Council adopted Resolution 2017-007 authorizing the Second Modification to the Agreement, which extended the term until November 2, 2017; and

WHEREAS, Section 2 of the Agreement allows the Agreement to be extended for up to three one-year extensions, at the sole discretion of the Town; and

WHEREAS, the Town of Southwest Ranches desires to extend the term of the Agreement with Weekley Asphalt Paving, Inc. for one year, specifically through November 2, 2018; and

WHEREAS, the Agreement and Third Amendment are hereinafter collectively referred to as the "Agreement";

NOW, THEREFORE, in consideration of the sum hereinafter set forth and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, it is agreed as follows:

1. The above recitals are true and correct and incorporated herein.
2. Section 2.1 "Term of this Agreement and Agreement Time", shall be deleted in its entirety and replaced as follows:


2.1 The term of this Agreement shall be from November 2, 2017 through November 2, 2018.

3. All other Sections remained unchanged shall remain in full force and effect.

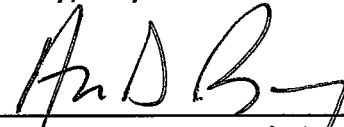
THIRD MODIFICATION TO THE AGREEMENT BY AND BETWEEN THE TOWN OF
SOUTHWEST RANCHES, FLORIDA, AND WEEKLEY ASPHALT PAVING, INC., FOR
ROADWAY REPAIR AND TRAFFIC SIGNS MAINTENANCE SERVICES.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed the date(s) indicated above.

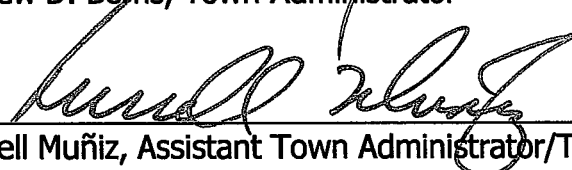
TOWN OF SOUTHWEST RANCHES

By: 

Doug McKay, Mayor

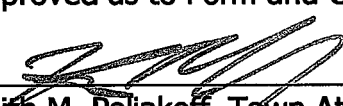
By: 

Andrew D. Berns, Town Administrator

Attest: 

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness



Keith M. Poliakoff, Town Attorney

CONTRACTOR

By: _____
Dan D. Weekley, President