

RESOLUTION NO. 20-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A FIRST AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICES (RIGHT-OF-WAYS) AGREEMENT WITH VISUALSCAPE, INC. FOR ADDITIONAL SCOPE OF SERVICES WITHIN TOWN DESIGNATED RIGHT-OF-WAYS FOR AN ANNUAL AMOUNT OF \$5,700.00; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 17, 2019, the Town of Cutler Bay (the “Town”) adopted Resolution No. 19-54, which approved a Landscape Maintenance Services (Right-of-Ways) Agreement (the “Agreement”) between the Town and VisualScape, Inc. (the “Contractor”); and

WHEREAS, on January 15, 2020, the Town adopted Resolution No. 20-02, which approved a covenant for maintenance of certain improvements along S.W. 211 Street from S.W. 112 Avenue (Allapattah Road) to S. W. 108 Court with Miami-Dade County; and

WHEREAS, the Town desires to add additional landscape maintenance sites and increase the landscape maintenance services included in the original scope of services, identified in the Request for Proposal No. 19-04; and

WHEREAS, the Town desires to add landscape maintenance of the following location to the scope of services of the Agreement (collectively, the “Additional Services”): Landscape Management for the new Landscaping installed inside the Bike Lane Curb Separators and vegetation in sidewalk joints along SW 211 Street from SW 112 Avenue (Allapattah Road) to SW 108 Court; and

WHEREAS, the funds for the Additional Services will be distributed from the Public Works Department’s General Operating Budget – Other Contractual Services; and

WHEREAS, the Town Council desires to amend the Agreement in substantially the form attached here to as Exhibit “A” to include the Additional Services (the “First Amendment”); and

WHEREAS, the Town Council finds that the adoption of this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

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

Section 2. Approval. The Town approves the First Amendment to the Landscape Maintenance Services (Right-of-Ways) Agreement with VisualScape, Inc., in the annual amount of \$5,700.00, for the Additional Services.

Section 3. Authorization. The Town Manager is hereby authorized, on behalf of the Town, to execute the First Amendment to the Agreement in substantially the form attached hereto as Exhibit "A" with the Contractor, subject to the Town Attorney's approval as to content, form, and legal sufficiency.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED and ADOPTED this ____ day of March, 2020.

TIM MEERBOTT
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Tim Meerbott _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Robert “BJ” Duncan _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____