

RESOLUTION NO. 21-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A SECOND 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 \$5,800.00; 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 April 22, 2020, the Town adopted Resolution No. 20-13, which approved a First Amendment to the Agreement for the purpose of adding additional landscape maintenance sites to the scope of services for an additional annual amount of \$5,700.00; and

WHEREAS, the Town desires to add an additional landscape maintenance site 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 additional landscape maintenance site (collectively, the “Additional Services”) consists of S.W. 85th Avenue and S.W. 213 Street (both sides of the street adjacent to guardrail and behind lake embankments); and

WHEREAS, the funds for the Additional Services will be distributed from the Public Works Department’s FY 2020-21 General Operating Budget – Other Contractual Services; and

WHEREAS, the Town Council desires to amend the Agreement in substantially the form attached hereto as Exhibit “A” to include the Additional Services (the “Second 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 Second Amendment to the Landscape Maintenance Services (Right-of-Ways) Agreement with VisualScape, Inc., in the annual amount of \$5,800.00, for the Additional Services.

Section 3. Authorization. The Town Manager is hereby authorized, on behalf of the Town, to execute the Second 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 January, 2021.

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 Michael P. Callahan _____

Council Member Robert "BJ" Duncan _____

Council Member Suzy Lord _____

Council Member Roger Coriat _____