

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA APPROVING THE ATTACHED FIFTH AMENDMENT TO THE OPERATION, MAINTENANCE AND MANAGEMENT SERVICES AGREEMENT BETWEEN OPERATIONS MANAGEMENT INTERNATIONAL, INC. (OMI) AND THE CITY OF KEY WEST, FLORIDA FOR THE CITY'S WASTEWATER FACILITIES DELETING SECTIONS 3.2.7.b and 3.2.7.c OF THE AGREEMENT; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS, ADMINISTRATIVE ACTIONS AND/OR BUDGET TRANSFERS/ ADJUSTMENTS, UPON CONSENT OF THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, via Resolution No. 13-304, the City Commission approved an Agreement with Operations Management International, Inc. (hereinafter "OMI") to operate, maintain and manage the City's Wastewater Treatment Facilities; and

WHEREAS, Resolution No. 18-366 authorized the First Amendment to the Agreement for the operation, maintenance and management services to remove electrical power charges as a direct cost and renew the terms of the agreement for a five-year term; and

WHEREAS, Resolution No. 21-159 authorized the Second Amendment to the Agreement for operation, maintenance and management services to adjust the procurement expenditure limit and add two (2) stormwater pump stations to Exhibit B. *Facilities.*; and

WHEREAS, Resolution No. 23-247 authorized the Third Amendment to the Agreement for the operation, maintenance and management services to extend the term to align with the fiscal year; and

WHEREAS, Resolution No. 24-181 authorized the Fourth Amendment to the Agreement for the operation, maintenance and management services to extend the term for five (5) years; and

WHEREAS, City staff and OMI desire to amend certain provisions of the Agreement to remove sludge hauling from the Agreement, specifically Sections 3.2.7.b. *Removal of Non-Processible Waste.* and 3.2.7.c. *Removal of Process Residue;*

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the Commission hereby approves the Fifth Amendment to the Agreement deleting Section 3.2.7.b *Removal of Non-Processible Waste.* and Section 3.2.7.c *Removal of Process Residue.* of the Agreement for Operations, Maintenance and Management Services for the City's wastewater facilities is hereby approved.

Section 2: That the City Manager, upon the advice and consent of the City Attorney, is authorized to execute any necessary documents, administrative actions and/or budget transfers, upon consent of the City Attorney.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2025.

Authenticated by the Presiding Officer and Clerk of the Commission on the _____ day of _____, 2025.

Filed with the Clerk on _____, 2025.

Mayor Danise Henriquez _____

Vice Mayor Donald "Donie" Lee _____

Commissioner Lisette Carey _____

Commissioner Aaron Castillo _____

Commissioner Monica Haskell _____

Commissioner Mary Lou Hoover _____

Commissioner Sam Kaufman _____

DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI O'BRIEN, CITY CLERK