

RESOLUTION NO. 20-055

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED "AMENDMENT (1ST AMENDMENT) TO AGREEMENT" ID #2287 TO EXTEND THE TERMINATION DATE TO MARCH 31, 2021 FOR THE REST BEACH ENHANCEMENTS PROJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS UPON CONSENT OF THE CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in Resolution No. 19-010, the City of Key West accepted a Grant Award Agreement (ID #2287) for Rest Beach Enhancements; and

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

Section 1: That the attached "Amendment (1st Amendment) to Agreement" (ID #2287), to extend the termination date for the Rest Beach Enhancements Project to March 31, 2021, is hereby approved.

Section 2: That no cost adjustments are associated with this time extension.

Section 3: That the City Manager is authorized to execute any necessary documents related to the time extension, upon consent of the City Attorney.

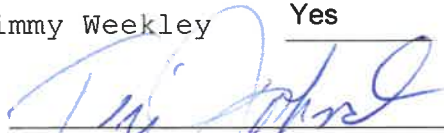
Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 7th day of April, 2020.


Authenticated by the Presiding Officer and Clerk of the Commission on 8th day of April, 2020.

Filed with the Clerk on April 8th, 2020.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>


TERI JOHNSTON, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

EXECUTIVE SUMMARY

TO: Greg Veliz, City Manager

CC: Patti McLaughlin, Assistant City Manager
Mark Finigan, Finance Director

FROM: Carolyn Sheldon, Senior Grants Administrator

DATE: March 2, 2020

RE: **Approving the attached 1st Amendment to Agreement ID #2287 to extend the termination date to March 31, 2021.**

ACTION STATEMENT:

This resolution will approve the attached 1st Amendment to Agreement ID #2287 between the Tourist Development Council (TDC) and the City of Key West for the Rest Beach Enhancements Project to extend the termination date to March 31, 2021.

BACKGROUND:

Grant funding in the amount of up to \$35,000.00 to help fund the construction of new shelters and permanently installed picnic tables at Rest Beach is available through an agreement with the TDC (Resolution 19-010, January 2, 2019). The current termination date of the agreement is March 31, 2020.

PURPOSE AND JUSTIFICATION:

City Staff requested a 12-month extension to March 31, 2021 to allow more time for permitting, the bidding phase and construction. Engineered drawings are complete.

FINANCIAL IMPACT:

This is a no-cost time extension.

RECOMMENDATION:

Staff recommends the City Commission approve the attached 1st Amendment to Agreement ID #2287 between the Tourist Development Council (TDC) and the City of Key West for the Rest Beach Enhancements Project to extend the agreement termination date to March 31, 2021.

MEMORANDUM

Key to the Caribbean – Average yearly temperature 77° F.

AMENDMENT (1st AMENDMENT) TO AGREEMENT

THIS AMENDMENT to Agreement dated this 20th day of May 2020, is entered into by and between the Board of County Commissioners for Monroe County, on behalf of the Tourist Development Council, and The City of Key West a Government agency organized and operating under the laws of the state of Florida (Grantee).

WHEREAS, there was an Agreement entered into on January 23, 2019 between the parties, awarding \$35,000 to Grantee for the Rest Beach Enhancements ("Agreement"); and

WHEREAS, it has become necessary to revise the termination date of the project to March 31, 2021 due to delays in the design process, and

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree to the amend Agreement as follows:

1. Paragraph 1 of the agreement shall be revised to read as follows: This Agreement is for the period of January 23, 2019 to March 31, 2021. This Agreement shall remain in effect for the stated period unless one party gives to the other written notification of termination pursuant to and in compliance with paragraphs 7, 12 or 13 of the original Agreement dated January 23, 2019.
2. Any references to termination date and submission of invoices shall be revised to read March 31, 2021.
3. The remaining provisions of the agreement dated January 23, 2019 shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties have set their hands and seal on the day and year first above written.

(SEAL)
Attest: Kevin Madok, Clerk

Board of County Commissioners
of Monroe County

Kevin Madok
AS Deputy Clerk

Teri Johnston
Mayor/Chairman

The City of Key West

Attest:

By: *Cheryl Smith*
City Clerk
Cheryl Smith
Print Name
Date: 4-8-2020

By: *Teri Johnston*
Mayor
Teri Johnston
Print Name
Date: 4-8-2020

FILED FOR RECORD
2020 JUN 11 PM 12:30
CLERK OF
MONROE COUNTY, FLA

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
Christine Lambert-Barrows
CHRISTINE LAMBERT-BARROWS
ASSISTANT COUNTY ATTORNEY
DATE 6/10/20



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/07/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER World Risk Management LLC a member of: Ballator Insurance Group 20 N Orange Ave Ste 500 Orlando FL 32801		CONTACT NAME: Jenna Jennings PHONE (A/C No. Ext): (407) 446-2414 E-MAIL ADDRESS: jennifer.jennings@wrmlc.com		FAX (A/C No.): (407) 445-2868	
INSURED City of Key West 3104 Flagler Avenue Key West FL 33041		INSURER(S) AFFORDING COVERAGE		NAC #	
		INSURER A: Public Risk Management of Florida		66169	
		INSURER B:			
		INSURER C:			
		INSURER D:			
		INSURER E:			
		INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** CL1892201766 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

LINE	TYPE OF INSURANCE	PROD. NUMBER (REQ. / W/O)	POLICY NUMBER	POLICY BY (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		PRM019-006-073	10/01/2019	10/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 1,000,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADY INJURY \$ 1,000,000 GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ Self Insured Retention \$ 100,000 COLLATERAL SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Comp / Coll Deductible \$ 1,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> Comp <input checked="" type="checkbox"/> Coll		PRM019-006-073	10/01/2019	10/01/2020	EACH OCCURRENCE \$ AGGREGATE \$ PER STATUTE <input checked="" type="checkbox"/> OTH-ER <input type="checkbox"/>
A	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below		PRM019-006-073	10/01/2019	10/01/2020	E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

APPROVED BY RISK MANAGEMENT
J. Hoops
BY J. Hoops
DATE 6/9/2020
WARRANTY MAX YEAR

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: City of Key West Beach Maintenance Multi Year FY 2020 Capital Project Funding - Beach Cleaning (Contract ID # 2324)
With respects to the listed coverages held by the named insured, as evidence of insurance.

CERTIFICATE HOLDER Monroe County BOCC & Monroe County TDC 1100 Simonton Street Key West FL 33040	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>A. Cooper</i>
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