

Sponsored by: Puto

**CITY OF MARATHON, FLORIDA
RESOLUTION 2007-140**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF MARATHON, FLORIDA AND M. T. CAUSELY, INC., CONCERNING THE PROVISION OF BUILDING CODE ADMINISTRATOR SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on April 13, 2000, the City of Marathon, Florida (the "City") entered into a Agreement with M.T. Causley, Inc. (the "Contractor") whereby Contractor has provided professional Building Code Administrator services to the City (the "Agreement"); and

WHEREAS, on since September 13, 2000, the City and the Contractor have from year to year amended this contract to provide for terms of service so that Contractor could continue to provide professional Building Code Administrator services to the City; and

WHEREAS, on September 27, 2006, the Contract between the City and the Contractor entered into an Amendment to the Agreement so that Contractor could continue to provide professional Building Code Administrator services to the City; and

WHEREAS, the Agreement is expiring and has a provision for an additional one (1) year term extension; and

WHEREAS, the City has budgeted funds in the amount of Two Hundred Seventy-Five Thousand Five Hundred Twenty-Seven Dollars Ninety-Eight Cents (\$275,527.98) for fiscal year 2007-2008 to provide for these services; and

WHEREAS, the City and the Contractor desire to amend the existing agreement between the parties so that Contractor may continue providing building code administrator services to the City for a term of one (1) year in accordance with the adopted budget for FY 07/08.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

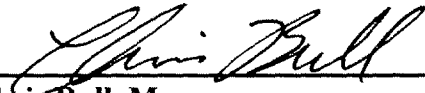
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The Seventh Amendment between the City and Contractor regarding the provision of building code administrator services to the City for a term of one year for the amount of \$275,527.98, a copy of which is attached as Exhibit "A"; together with such non-substantial changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is approved. The City Manager is authorized to sign the Agreement on behalf of the City.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Marathon, Florida, this 25th day of September, 2007.

THE CITY OF MARATHON, FLORIDA



Chris Bull, Mayor

AYES: Cinque, Tempest, Vasil, Worthington, Bull
NOES: None
ABSENT: None
ABSTAIN: None


ATTEST:



Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



City Attorney

EXHIBIT "A"

RECEIVED
SEP 25 2007

EXHIBIT "A"

BY: _____

**SEVENTH AMENDMENT TO AGREEMENT FOR PROFESSIONAL
BUILDING CODE ADMINISTRATOR SERVICES BETWEEN THE CITY OF
MARATHON, FLORIDA AND M. T. CAUSLEY, INC.**

THIS ADDENDUM to agreement is made and entered into this 25th day of September 2007, between M. T. Causley, Inc. (the "Contractor") and the City of Marathon (the "City") concerning the provision of the Building Code Administrator Services.

WHEREAS, on April 13, 2000, the City entered into an Agreement with the Contractor, whereby Contractor has provided professional Building Code Administrator services to the City (the "Original Agreement"); and

WHEREAS, the Original Agreement has been amended on six prior occasions, with the most recent being the Sixth Amendment to Agreement on September 27, 2006, in each case to extend the term of the Original Agreement for an additional year (the Original Agreement, together with all the amendments, hereinafter referred to as the "Existing Agreement"); and

WHEREAS, the City and the Contractor wish to extend the Existing Agreement for an additional one (1) year with a provision to be renewed again for an additional one year period subject to negotiated compensation between the parties; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto hereby agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.
2. Amendment to Section III.A of the Existing Agreement. The parties hereby amend Section III.A of the Existing Agreement to read as follows:

III. Consideration

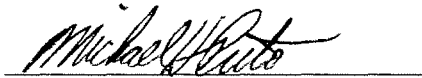
- A. Contractor shall be paid a lump sum of \$22,960.66 per month payable in two equal installments for a total of \$ 275,527.98 annually upon receipt and approval of an invoice from Contractor for the period of September 30, 2007. Unless otherwise terminated or modified by resolution, the Agreement shall remain effective through September 30, 2008. The City may extend this Agreement for one (1) additional one (1) year term, subject to negotiated compensation.
3. Full force and effect. EXCEPT AS OTHERWISE PROVIDED HEREIN, all

other terms and conditions of the Existing Agreement shall remain in full force and effect.

4. Effective Date. This Agreement shall take effect upon the date the last party signs this Agreement.

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

City of Marathon



Michael H. Puto, City Manager

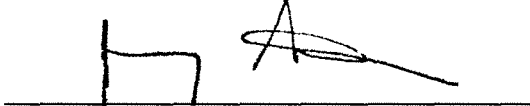
(SEAL)

ATTEST: City of Marathon Clerk



Diane Clavier, City Clerk

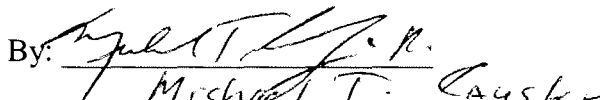
Approved as to legal form and sufficiency:



City Attorney

M. T. Causley, Inc.

Witnesses: 

By: 
Michael T. Causley, President

Print Name: Kathleen A Von Staget