

Sponsored by: Lindsey

**CITY OF MARATHON, FLORIDA
RESOLUTION 2019-24**

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 ADVENTURE ENVIRONMENTAL, INC FOR MANGROVE TRIMMING SERVICES TO EXTEND THE AGREEMENT FOR AN ADDITIONAL FIVE YEARS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY AND APPROPRIATE FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution 2014-38, the City and Adventure Environmental Inc. (the "Contractor") entered into a contract agreement for mangrove trimming services with a five year renewal option; and

WHEREAS, the City Council finds that entering into an amendment to extend the agreement for mangrove trimming services with the Contractor is in the best interest of the City.

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. An amendment to the contract agreement between the City and the Contractor, attached hereto as Exhibit "A," together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney is hereby approved. The City Manager is authorized to sign the amendment and expend budgeted funds 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 12th DAY OF MARCH, ~~2018~~ 2019

THE CITY OF MARATHON, FLORIDA



John Bartus Mayor

AYES: Cook, Gonzalez, Senmartin, Zieg, Bartus
NOES: None
ABSENT: None
ABSTAIN: None

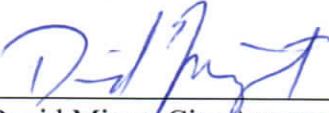
ATTEST:



Diane Clavier, City Clerk

(City Seal)

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



David Migut, City Attorney

**AMENDMENT TO CONTRACT
BETWEEN THE CITY OF MARATHON, FLORIDA
AND ADVENTURE ENVIRONMENTAL, INC.
FOR MANGROVE TRIMMING SERVICES**

This Amendment to the Contract for beach raking services ("Amendment") made and entered into this 12th day of March 2019, between the City of Marathon, Florida, a municipal corporation of the State of Florida ("City") and Adventure Environmental, Inc., a Florida corporation whose address and principal place of business is: 12895 SW 87th Avenue, Miami, FL 33176, (hereinafter the "Contractor").

WHEREAS, pursuant to Resolution 2014-38, the City and the contractor entered into a contract agreement for mangrove trimming services (the "Contract"); and

WHEREAS, the City and contractor desire to amend the Contract as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants set forth in this Amendment, the parties agree as follows:

Section 1. Term/Commencement Date.

- a. The City intends to renew the contract for an additional five (5) years, with proof of current qualifications and at the discretion of the City Council.
- b. Contractor agrees that time is of the essence and Contractor shall complete each deliverable for the Work within the timeframes set forth in the agreed upon Work Schedule, unless extended by the City Manager.

Section 2. Amendment to Section 1.20 of the Contract. The parties hereby amend Section 1.20 on Notices to update same as follows:

1.20. NOTICES Whenever any party is required to give or deliver any notice to any other party, or desires to do so, such notices shall be sent via certified mail or hand delivery to:

City of Marathon
Attention: Chuck Lindsey, City Manager
9805 Overseas Highway
Marathon, Florida 33050
Telephone: (305) 743-0033

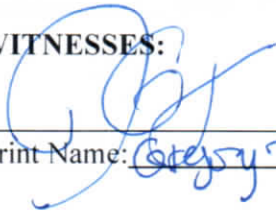
With a copy to:


City of Marathon.
Attention: David Migut, City Attorney
9805 Overseas Highway
Marathon, Florida 33050
Telephone: (305) 743-0033
Facsimile: (305) 743-3667

EXCEPT AS PROVIDED HEREIN, all other terms and conditions of the Contract dated April 15, 2014 shall remain in full force and effect.

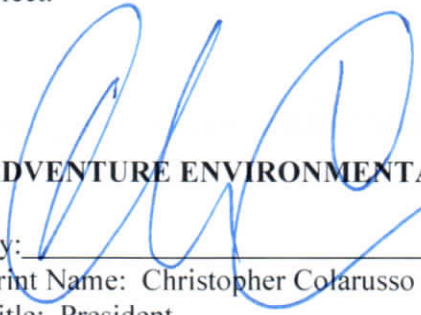
DATED this 19 day of June, 2016.²⁰¹⁹

WITNESSES:

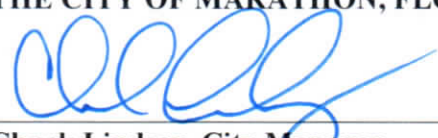

Print Name: Stessy Tolpin


Print Name: Kelly Gracie

ADVENTURE ENVIRONMENTAL, INC.

By: 
Print Name: Christopher Colarusso
Title: President

THE CITY OF MARATHON, FLORIDA

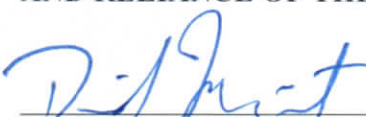

Chuck Lindsey, City Manager

ATTEST:


Diane Clavier, City Clerk

(City Seal)

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David Migut, City Attorney