

RESOLUTION NO. 63-08-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CONTRACT ADDENDUM NO. 2 BETWEEN THE TOWN OF LAKE PARK AND HY-BYRD INC., TO PROVIDE FOR THE INSPECTION AND RE-INSPECTION FEES TO BE CHARGED BY HY-BYRD INC., TO THE TOWN FOR INSPECTIONS CONDUCTED IN CONNECTION WITH THE ISSUANCE OF BUSINESS TAX RECEIPTS BY THE TOWN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park (“Town”) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is empowered to enter into contractual arrangements with public agencies, private corporations or other persons, pursuant to Florida Statutes; and

WHEREAS, the Town, after soliciting competitive proposals for such services pursuant to the Town of Lake Park Request for Proposals, the Town awarded the contract and a contract addendum to Hy-Byrd, Inc., both of which are dated June 24, 2005 and are collectively referred to herein as the “Contract”; and

WHEREAS, the Town and Hy-Bryd Inc., have agreed to amend the Contract to provide for additional costs charged for inspections performed by the Hy-Bryd Inc., for the Town in connection with the processing of applications for business tax receipts and the issuance of zoning confirmation determinations; and

WHEREAS, this Contract Addendum No. 2 provides additional and supplemental terms to the Contract between the parties, however all other terms and conditions of the June 24, 2005 Contract and Addendum remain in full force and effect.

WHEREAS, the Town has budgeted funds in its current fiscal year budget which are available for the funding of this Contract Addendum No. 2, a copy of the Contract Addendum No. 2 is attached hereto as **Exhibit “A”**; and

WHEREAS, Town staff is recommending that the Town Commission approve the Contract Addendum and direct the Mayor to execute the attached Contract Addendum No. 2 on behalf of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:

Section 1. The whereas clauses are hereby incorporated herein as true and correct.

Section 2. The Mayor is hereby authorized and directed to execute the Contract Addendum No. 2 between the Town of Lake Park and Hy-Bryd Inc., attached hereto as **Exhibit “A”**.

Section 3.

This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner Blaius, who moved its adoption. The motion was seconded by Vice-Mayor Daly, and upon being put to a roll call vote, the vote was as follows:

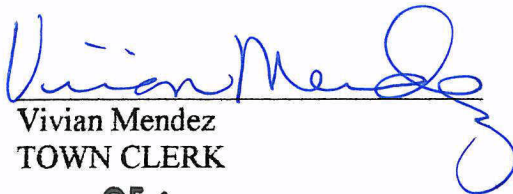
	AYE	NAY
MAYOR PAUL W. CASTRO	<u> </u>	<u> X </u>
VICE-MAYOR ED DALY	<u> X </u>	<u> </u>
COMMISSIONER CHUCK BALIUS	<u> X </u>	<u> </u>
COMMISSIONER JEFF CAREY	<u> X </u>	<u> </u>
COMMISSIONER PATRICIA OSTERMAN	<u> X </u>	<u> </u>

The Town Commission thereupon declared the foregoing Resolution NO. 63-08-07 duly passed and adopted this 12 day of September, 2007.

TOWN OF LAKE PARK, FLORIDA

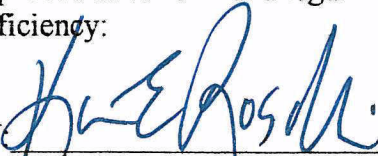
BY: 
PAUL W. CASTRO
MAYOR

ATTEST:


Vivian Mendez
TOWN CLERK



Approved as to form and legal sufficiency:

BY: 
for THOMAS J. BAIRD
TOWN ATTORNEY

CONTRACT ADDENDUM NO. 2

THIS CONTRACT ADDENDUM NO. 2, made and entered into this 19 day of September, 2007 by and between TOWN OF LAKE PARK, 535 Park Avenue, Lake Park, Florida 33403 (hereinafter referred to as "TOWN") and Hy-Byrd Inc., a Florida corporation, a located at 511 South East Coast Street, Lake Worth, Florida 33460, and licensed and authorized to do business in the State of Florida, (hereinafter referred to as "CONTRACTOR").

WHEREAS, the TOWN is a municipality with those powers and responsibilities enumerated by Chapter 166, Florida Statutes and the Florida Constitution; and

WHEREAS, the TOWN is empowered to enter into contractual relationships with public agencies, private corporations, and/or other persons and entities pursuant to Florida law; and

WHEREAS, the TOWN has previously determined that it has a need for the provision of building inspection and related services; and

WHEREAS, the TOWN, after soliciting competitive proposals for such services pursuant to the Town of Lake Park Request for Proposals (hereinafter "RFP"), the TOWN awarded the contract and a contract addendum to the CONTRACTOR both of which are dated June 24, 2005 and are collectively referred to herein as the "Contract"; and

WHEREAS, the TOWN and the CONTRACTOR have agreed to amend the Contract to provide for additional costs charged for inspections performed by the CONTRACTOR for the TOWN in connection with the processing of applications for business tax receipts and the issuance of zoning confirmation determinations; and

WHEREAS, this Contract Addendum No. 2 provides additional and supplemental terms to the Contract between the parties, however all other terms and conditions of the June 24, 2005 Contract and Addendum remain in full force and effect.

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

1. ADDITIONAL FEES.

The following Fee Schedule is hereby added to Paragraph 4 of the Contract. The CONTRACTOR shall conduct building inspections to verify the use of properties in conjunction with requests for zoning confirmation and the TOWN's processing of applications for business tax receipts, and the CONTRACTOR shall charge the TOWN a fee of \$20.00 per each such inspection.

For all inspections conducted by the CONTRACTOR in connection with building permits, no fee shall be charged by the CONTRACTOR to the TOWN for any initial

inspection or for the first re-inspection, however the charge for any subsequent re-inspections shall be \$25.00 per each re-inspection. The costs for these inspections conducted shall be billed by the CONTRACTOR to the TOWN on a monthly basis.


IN WITNESS WHEREOF, the TOWN and CONTRACTOR has signed this Contract Addendum in triplicate. THIS CONTRACT ADDENDUM NO. 2 will be effective upon execution by the TOWN.

TOWN OF LAKE PARK, FLORIDA




BY: PAUL CASTRO, MAYOR

ATTEST:


Vivian Mendez, Town Clerk

APPROVED AS TO FORM:


Thomas J. Baird,
Town Attorney

State of Florida
County of Palm Beach

The foregoing instrument was acknowledged before me, the undersigned Notary Public in and for the State of Florida, on this, the 12 day of September, 2007, by Vivian Mendez and Paul Castro, Town Clerk and Mayor, respectively.

NOTARY PUBLIC
SEAL OF OFFICE


Notary Public, State of Florida

Printed, typed or stamped name of Notary Public exactly as commissioned. Individuals who signed are:

Is personally known to me, or
has produced identification:

(type of identification produced)

CONTRACTOR: HY-BYRD, INC.

Joseph A. Crisafulle
BY JOSEPH A. CRISAFULLE

State of Florida
County of Palm Beach

On this, the 17th day of September, 2007, before me, the undersigned Notary Public of the State of Florida, the foregoing instrument was acknowledged by **JOSEPH A. CRISAFULLE**, President of HY-BYRD, INC., a Florida corporation, on behalf of the corporation.

NOTARY PUBLIC
SEAL OF OFFICE

Joan L. Guy
Notary Public, State of Florida



Joan L. Guy
Printed, typed or stamped name of Notary Public exactly as commissioned

Is personally known to me, or has produced identification:

(type of identification produced)