

RESOLUTION NO. 46-10-16

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE CONTRACT BETWEEN U.S. SECURITY ASSOCIATES, INC. AND THE TOWN OF LAKE PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (hereinafter “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, on May 30, 2015 the Town entered into contract with U.S. Security Associates, Inc. for the provision of unarmed security services at the Lake Park Harbor Marina; and

WHEREAS, The Town Commission entered into a First Amendment to the contract with U.S. Security Associates, Inc. on November 21, 2015 for the provision of an additional USA Smart Tablet to be used as a more effective electronic monitoring system at the Marina; and

WHEREAS, the Town Commission has determined that it is in the best interest of the Town to amend the contract with U.S. Security Associates, Inc. to provide that U.S. Security Associates, Inc. also lock the restrooms at Lake Shore Park; and

WHEREAS, the Town Commission has reviewed the provisions of the Second Amendment to the contract with U.S. Security Associates, Inc. (“Amendment”) and has determined that it is in the best interest of the Town to authorize and direct the Mayor to execute such Amendment.

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

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

Section 2. The Town Commission hereby authorizes and directs the Mayor to execute the Second Amendment to the contract with U.S. Security Associates, Inc., a copy of which is attached hereto and incorporated herein as **Exhibit A**.

Section 3. This Resolution shall become effective immediately.

The foregoing Resolution was offered by Commissioner O'Rourke who moved its adoption. The motion was seconded by Commissioner Lynch and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	___
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	___
COMMISSIONER ERIN FLAHERTY	<u>/</u>	___
COMMISSIONER ANNE LYNCH	<u>/</u>	___
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 46-10-16 duly passed and adopted this 19 day of October, 2016.

TOWN OF LAKE PARK, FLORIDA

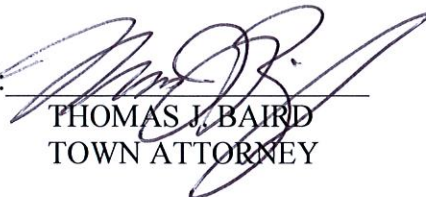
BY: 
JAMES DUBOIS
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK



Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

SECOND AMENDMENT TO U.S. SECURITY ASSOCIATES, INC. CONTRACT

THIS SECOND AMENDMENT TO THE CONTRACT BETWEEN THE TOWN OF LAKE PARK AND U.S. SECURITY ASSOCIATES, INC. (the Contract), is made and entered into this day of October 2016 by and between TOWN OF LAKE PARK, 535 Park Avenue, Lake Park, Florida 33403 (hereinafter referred to as "TOWN") and U.S. SECURITY ASSOCIATES, INC., a Delaware corporation 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 and CONTRACTOR entered into the Contract on May 30, 2015 whereby the CONTRACTOR agreed to provide certain security services to the TOWN at the Lake Park Harbour Marina; and

WHEREAS, paragraph 20 of the Contract provides that it may only be amended by the execution of a written amendment executed by the appropriate representatives of the parties; and

WHEREAS, the TOWN and the CONTRACTOR hereby agree to a second amendment to the CONTRACT requiring the CONTRACTOR to lock the restrooms at Lake Shore Park;

WHEREAS, all of the other terms and conditions of the Contract remain in full force and effect.

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

I. STATEMENT OF WORK

1. The Statement of Work contained in paragraph 1 of the CONTRACT is hereby amended to provide:

1.1 CONTRACTOR shall furnish all labor and equipment and other necessary items for the performance of the work, and shall perform the required work in accordance with the Contract Documents.

1.2 CONTRACTOR must have a current Business Tax Receipt or Business Registration Receipt from the Town and Palm Beach County prior to commencing any work under the Contract. The CONTRACTOR must also be licensed by the Florida Department of Agriculture and Consumer Services, Division of Licensing prior to commencing work under the Contract and must provide the TOWN with a current copy of such license.

1.3 The CONTRACTOR warrant to the Town that it has examined the Contract Documents and the site of the proposed work thoroughly before the CONTRACTOR submitted its Bid for the work contemplated. The CONTRACTOR must investigate the conditions to be encountered, as to the character, quality, and quantities of work to be performed and materials to be furnished and as to the requirements of the Contract. The CONTRACTOR warrants to the TOWN the CONTRACTOR'S Bid was based upon its own opinion of the conditions likely to be encountered. The CONTRACTOR'S submission of a



bid or proposal shall constitute prima facie evidence that the CONTRACTOR has made the examinations described in this Article.

1.4 CONTRACTOR shall add One USA Smart Table with four positive as equipment to be provided in the performance of the CONTRACT.

1.5 CONTRACTOR shall lock up the restrooms at Lake Shore Park at approximately 8:30 p.m. each night from November through March and 10:30 p.m. from April through October.

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

ATTEST:


 TOWN OF LAKE PARK, FLORIDA
 SEAL BY 
 Vivian Mendez, Town Clerk James DuBois, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


 Thomas J. Baird, Town Attorney

CONTRACTOR: U.S. SECURITY ASSOCIATES, INC.

By: _____
Its: _____

SWORN TO and subscribed before me this ____ day of _____, 2016

(Notary Seal)

Notary Public