

**RESOLUTION NO. 74-11-18**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE 2<sup>ND</sup> AMENDMENT TO THE AGREEMENT WITH ITAMAR B. MACEDO; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida (hereinafter "Town") is a municipality and 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 corporation or other persons to provide services; and

**WHEREAS**, the Town solicited proposals for the provision of tennis center management and maintenance at the Lake Park Tennis Center ("LPTC") located at Lake Shore Park (LSP); and

**WHEREAS**, The Town complied with the requirements of its Code and Florida Statutes pertaining to the competitive bidding of products and commodities; and

**WHEREAS**, the Town and the Tennis Professional proposed the 2<sup>nd</sup> amendment to the Agreement to extend its term;

**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 authorized and directs the Mayor to execute the 2<sup>nd</sup> amendment to the Agreement between the Town of Lake Park, Florida and Itamar B. Macedo, a copy of which is attached hereto and incorporated herein as **Exhibit A**.

**Section 3.** This Resolution shall become effective immediately upon adoption.

The foregoing Resolution was offered by Vice-Mayor Glas-Castro 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:

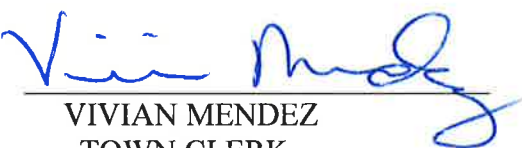
	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>/</u>	<u>  </u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	<u>  </u>
COMMISSIONER ERIN FLAHERTY	<u>Absent</u>	<u>  </u>
COMMISSIONER ANNE LYNCH	<u>/</u>	<u>  </u>
COMMISSIONER ROGER MICHAUD	<u>/</u>	<u>  </u>

The Town Commission thereupon declared the foregoing Resolution NO. 74-11-18 duly passed and adopted this 7 day of November, 2018.

TOWN OF LAKE PARK, FLORIDA


BY:   
MICHAEL O'ROURKE  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK



Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY

**The 2<sup>nd</sup> AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF LAKE PARK, FL AND ITAMAR B. MACEDO**

**THIS 2<sup>ND</sup> AMENDMENT TO THE AGREEMENT TO PROVIDE TENNIS CENTER MANAGEMENT AND MAINTENANCE SERVICES** (“Agreement”) is made this 7<sup>th</sup> day of November, 2018, by and between the Town of Lake Park, a municipal corporation of the State of Florida, 535 Park Avenue, Lake Park, Florida 33403 (“Town”) and Itamar B. Macedo (“Tennis Professional”), 1087 Raintree Drive, Palm Beach Gardens, Florida 33410.

**WITNESSETH THAT:**

**WHEREAS**, the Town is a municipality and given those powers and responsibilities enumerated by Chapter 166 Florida Statutes and the Florida Constitution; and

**WHEREAS**, the Town is empowered to enter into contractual arrangements with public agencies, private corporations or other persons to provide services; and

**WHEREAS**, the Town Commission previously determined that there is a need for the provision of tennis center management and maintenance at the Lake Park Tennis Center (“LPTC”) located at Lake Shore Park (LSP); and

**WHEREAS**, the Town solicited via a Request for Proposal (No. 103-2016) proposals from tennis professionals to manage and maintain the LPTC; and

**WHEREAS**, the Town received a proposal from the Tennis Professional on July 21, 2016 for the management and maintenance of the LPTC; and

**WHEREAS**, in his proposal, the Tennis Professional represented that he is qualified, able and willing to satisfactorily provide the services solicited in the Town’s Request for Proposals; and

**WHEREAS**, the Town determined that the Tennis Professional’s proposal was a responsible and responsive bid and that the Tennis Professional was qualified and able to provide the services solicited; and

**WHEREAS**, the Town and the Tennis Professional proposes a 2<sup>nd</sup> amendment to the Agreement to extend its term; and

**WHEREAS**, the Town has budgeted funds in its current fiscal year budget which are available to fund the Agreement;

**NOW, THEREFORE**, the Town and the Tennis Professional in consideration of the benefits flowing from each to the other do hereby agree to the 2<sup>nd</sup> amendment of the agreement as follows:

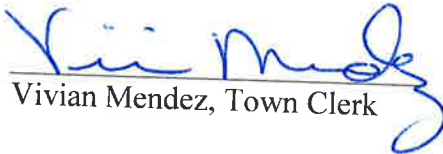
**SECTION 4. TERM**

The term of this Agreement shall be extended for one year with the option to extend the Agreement one additional year term.


All of the terms contained in the original agreement shall remain as set forth therein.

IN WITNESS WHEREOF, the parties hereto have made and executed this 2<sup>nd</sup> Amendment to the Agreement as of the day and year last executed below

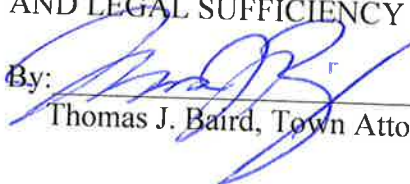
ATTEST:

By:   
Vivian Mendez, Town Clerk

TOWN OF LAKE PARK

By:   
Michael O'Rourke Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:   
Thomas J. Baird, Town Attorney

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument has been acknowledged before me this 7<sup>th</sup> day of November 2018 by Michael O'Rourke, Mayor of the Town of Lake Park, and who is personally known to me.

(NOTARY SEAL)



Shaquita Edwards  
Commission # GG003813  
Expires: JUNE 20, 2020  
Bonded thru Aaron Notary

Shaquita Edwards  
Notary Public, State of Florida

WITNESSES:

By: Rivrite C. Duke  
Rivrite Franks  
Printed Name

B. Freeman  
Brittany Freeman  
Printed Name

TENNIS PROFESSIONAL

By: Itamar B. Macedo  
Itamar B. Macedo