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CITY OF WESTLAKE

RESOLUTION NO. 2022-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY COUNCIL MEMBER TO EXECUTE A FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF WESTLAKE AND NOVA ENGINEERING AND ENVIRONMENTAL, LLC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council deems it to be in the best interests of the City to approve and authorize the proper City Council Member to execute a First Amendment to Agreement between the City of Westlake and Nova Engineering and Environmental, LLC;

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

SECTION 1. The foregoing "WHEREAS" clause is hereby ratified and confirmed by the City Council and incorporated herein by this reference.

SECTION 2. The City Commission of the City of Westlake, Florida, hereby approves and authorizes the proper City Council Member to execute First Amendment to Agreement between the City of Westlake and Nova Engineering and Environmental, LLC. A copy of the First Amendment is attached hereto as Exhibit "A".

SECTION 3. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extend of such conflict.

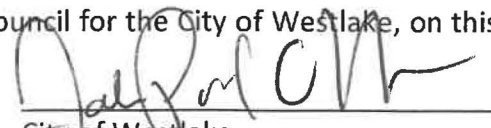
SECTION 4. CONFLICTS. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.


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SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 6th day of September 2022.



City of Westlake
John Paul O'Connor, Mayor



Zoje Burgess, City Clerk

**FIRST AMENDMENT TO AGREEMENT
BETWEEN THE CITY OF WESTLAKE AND NOVA ENGINEERING AND
ENVIRONMENTAL, LLC**

THIS FIRST AMENDMENT to Agreement is entered into as of this 6th day of September, 2022, by and between:

NOVA ENGINEERING AND ENVIRONMENTAL, LLC., hereinafter referred to as “NOVA;”

And

CITY OF WESTLAKE, FLORIDA, a municipal corporation of the State of Florida, hereinafter referred to as “CITY”

The CITY and NOVA may hereinafter collectively be referred to as the “Parties.”

WITNESSETH:

WHEREAS, on June 8, 2020, NOVA and CITY entered into an Agreement (the “Original Agreement”); and

WHEREAS, the Parties desire to amend the Original Agreement to extend the term of the Agreement for an additional two (2) years and to amend the existing fee schedule; and

NOW, THEREFORE, in consideration of the mutual benefits and other consideration as set forth herein, the Parties agree as follows:

SECTION 1. The foregoing “whereas” clauses are incorporated herein by reference.

SECTION 2. In accordance with Article 1 of the Original Agreement, the parties hereby exercise the option to renew commencing retroactively as of July 1, 2022 for an additional two (2) year term. Commencing as of July 1, 2024, the term shall be renewed automatically until either party terminates in accordance with the provisions of Article 9 of the Original Agreement.

SECTION 3. The fee schedule referenced in Article 11 and attached to the Original Agreement is hereby amended and is attached hereto as Exhibit “A”.

SECTION 4. In the event of any inconsistencies between this First Amendment and the Original Agreement, the provisions contained in this First Amendment shall prevail. In all other respects, the terms and provisions of the Original Agreement are ratified and confirmed.


IN WITNESS WHEREOF, the parties have caused this presence to be executed and attested to by their duly authorized officers or representatives and their official seals to be affixed thereto the day and year first above written.

CITY:
CITY OF WESTLAKE, FLORIDA


By: Ken Cassel
Title: city manager

Date: 9/6/2022

CONTRACTOR:
NOVA ENGINEERING AND ENVIRONMENTAL, LLC


By: Jason Hill
Title: Executive Vice President

Date: 08/31/2022



August 24, 2022

Mr. Kenneth Cassel
City of Westlake
4001 Seminole Pratt Whitney Rd.
Westlake, FL 33470

Mr. Cassel:

Please see the newly proposed rates for the NOVA Engineering/City of Westlake Municipal Contract.

Building Official	Request to change	125.00 per hr.
Fire Official	Request to change	125.00 per hr.
Plans Examiner	Request to change	95.00 per hr.
Building Inspector	Request to change	90.00 per hr.
Permit technician	Request to change	60.00 per hr.

Should you require any additional information, please let us know.

Respectfully submitted,

NOVA Engineering & Environmental, LLC

A handwritten signature in blue ink, appearing to read "J. Berko".

Joseph Berko
Building Official BU 1601
Branch Manager
jberko@usanova.com