



COUNCIL AGENDA STATEMENT

Meeting Date February 14, 2023
To Mayor and City Council Members
From: George Garrett, City Manager

Agenda Item: **Resolution 2023-18** Approving an Amendment to the Emergency Professional Services Agreement with Early Alert, Inc. For Disaster Response Services by Extending the Term of the Agreement to and Through May 29, 2025; Appropriating Funds; and Providing for an Effective Date

BACKGROUND & JUSTIFICATION:

The City of Marathon has an emergency agreement with Early Alert, Inc. for Disaster Response Services. Section 1 of the current contract allows for renewal by written agreement. Early Alert has agreed to extend the contract with the same conditions.

CONSISTENCY CHECKLIST:

| | Yes | No |
|-------------------------|-------|-------|
| 1. Comprehensive Plan | _____ | _____ |
| 2. Other _____ | _____ | _____ |
| 3. Not applicable _____ | | |

FISCAL NOTE:

N/A

RECOMMENDATION:

Council approve Resolution

**CITY OF MARATHON, FLORIDA
RESOLUTION 2023-18**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING AN AMENDMENT TO THE EMERGENCY PROFESSIONAL SERVICES AGREEMENT WITH EARLY ALERT, INC. FOR DISASTER RESPONSE SERVICES BY EXTENDING THE TERM OF THE AGREEMENT TO AND THROUGH MAY 29, 2025; APPROPRIATING FUNDS NOT TO EXCEED \$250,000 WHEN AND IF ACTIVATED; SUBJECT TO ALL FEMA EMERGENCY GUIDANCE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the CITY and CONTRACTOR entered into a five-year agreement for disaster response services (the “Agreement”), dated June 8, 2018; and

WHEREAS, the CITY and CONTRACTOR have agreed to renew the agreement under the same conditions for an additional two-year term as allowed in the current contract by written notice; and

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

Section 1. The foregoing recitals are true and correct and are hereby incorporated into this Agreement.

Section 2. The Term of the Agreement is amended to extend to and through June 8, 2025.

Section 3. This amendment shall take effect immediately upon its adoption and execution by the CONTRACTOR and CITY, the City Manager is authorized to execute the agreement on behalf of the CITY.

Section 4. This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, THIS 14TH DAY OF FEBRUARY, 2023**

THE CITY OF MARATHON, FLORIDA

Luis Gonzalez, Mayor

AYES:
NOES:
ABSENT:
ABSTAIN:

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:**

Steve Williams, City Attorney

**FIRST AMENDMENT TO EMERGENCY PROFESSIONAL
SERVICES AGREEMENT**

This first Amendment to The Professional Services Agreement is entered into this ____ day of February, 2023, by and between the CITY OF MARATHON, a Florida municipal corporation, with its address at 9805 Overseas Highway, Marathon, Florida 33050 (hereinafter referred to as the “CITY”) and Early Alert, Inc., with its address at 2740 SW Martin Downs Blvd. #414, Palm City, Florida 34990 (hereinafter referred to as the “CONTRACTOR”).

WITNESSETH:

WHEREAS, the CITY and CONTRACTOR entered into a five-year agreement for disaster response services (the “Agreement”), dated June 8, 2018; and

WHEREAS, the CITY and CONTRACTOR have agreed to renew the agreement under the same conditions for an additional two year term as allowed in the current contract by written notice; and

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

Section 1. The foregoing recitals are true and correct and are hereby incorporated into this Agreement.

Section 2. The Term of the Agreement is amended to extend to and through June 8, 2025.

Section 3. In the event a hurricane or similar emergency, the Early Alert Agreement would be subject to activation by the City with a “not to exceed” amount of \$250,000. Said not to exceed amount may be modified by the City Council or the Executive whichever is most appropriate based on the extent and duration of the emergency need.

Section 4. Any services provided under the Early Alert agreement are hereby subject to all pertinent FEMA guidance (See Attachment A) as may have been updated at the time of activation of the Agreement.

Section 5. This amendment shall take effect immediately upon its adoption and execution by the CONTRACTOR and CITY, the City Manager is authorized to execute the agreement on behalf of the CITY.

[THE REMAINDER OF THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, CITY and CONTRACTOR have made and executed this Agreement on the date written above.

CITY OF MARATHON, FLORIDA

ATTEST:

Diane Clavier, City Clerk

George Garrett, City Manager

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

Steve Williams, City Attorney

EARLY ALERT, INC.

By: _____

Printed Name: _____

Title: _____

Attachment A