RESOLUTION NO. 10-101

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, ON BEHALF OF THE CITY, TO ENTER INTO A 30-DAY EXTENSION AGREEMENT OF THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH FIRST TRANSIT, INC. THROUGH OCTOBER 31, 2010, IN AN AMOUNT NOT TO EXCEED $91,000, A COPY OF WHICH IN SUBSTANTIAL FORM IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

WHEREAS, pursuant to Hialeah, Fla., Resolution 09-145 (Sept. 22, 2009), the City renewed its professional services agreement with First Transit, Inc. with the agreement ending on September 30, 2010; and

WHEREAS, the City has not completed its selection and procurement (request for proposal) process in connection with a new professional services agreement for services provided in connection with the operation of the Hialeah Transit System; and

WHEREAS, in order to complete the process in an orderly fashion, at the request of the City, First Transit, Inc. has agreed to extend the terms and conditions of the existing professional services agreement for one month, with the ending date on October 31, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a 30-Day Extension Agreement of the existing Professional Services Agreement with First Transit, Inc.

through October 31, 2010, in an amount not to exceed $91,000, a copy of which is attached hereto and made a part hereof as Exhibit "1".

PASSED AND ADOPTED this 28th day of September, 2010.

Carlos Hernandez
Council President

Attest:

Approved on this 29 day of September, 2010.

Rafael E. Granado, City Clerk

Mayor Julio Robaina

Approved as to form and legal sufficiency:

William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes.

THIRTY-DAY EXTENSION OF PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF HIALEAH AND ASTI, INC. DATED AUGUST 30, 2001 AS ASSIGNED TO FIRST TRANSIT, INC. AND AS MODIFIED AND EXTENDED

WHEREAS, pursuant to Hialeah, Fla., Resolution 09-145 (Sept. 22, 2009), the City renewed its professional services agreement with First Transit, Inc., in the amount of $1,046,422, with the terms of the agreement ending on September 30, 2010; and

WHEREAS, the City of Hialeah, Florida has not completed its selection and procurement (request for proposal) process in connection with a new professional services agreement for services provided in connection with the operation of the Hialeah Transit System, of which First Transit is one of the proposers; and

WHEREAS, in order to complete the process in an orderly fashion, at the request of the City, First Transit, Inc. has agreed to extend the terms and conditions of the current professional services agreement for one month, with the ending date on October 31, 2010.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and agreements herein contained and other valuable consideration, the receipt of which is hereby acknowledged, the parties agree to the following terms and conditions:

1. The foregoing facts and recitations contained in the preamble to this agreement are hereby incorporate by reference as if fully set forth herein.

2. The parties herein extend the existing Professional Services Agreement ("Agreement") that expires on September 30, 2010 for a term of thirty (30) days through October 31, 2010. All other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, City of Hialeah, Florida and First Transit, Inc. has caused this Agreement to be executed by their duly authorized representatives.

City of Hialeah, Florida
501 Palm Avenue
Hialeah, FL 33010-0040

Attest:

Authorized signature on behalf of
City of Hialeah

_____

Rafael E. Granado Date
City Clerk

_____

Mayor Julio Robaina Date

(SEAL)

Approved as to legal sufficiency and form:

_____

William M. Grodnick
City Attorney

First Transit, Inc.
600 Vine Street
Suite 1400
Cincinnati, Ohio 45202

Attest:

Authorized signature of the firm

_____

Corporate Secretary

_____

Matthew S. Wood Date
Senior Vice President

(SEAL)