

**RESOLUTION NUMBER 25-86**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA AUTHORIZING THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICE PROVIDER AGREEMENT DATED OCTOBER 1, 2024, WITH SOFTRIM LLC, INCREASING THE NOT-TO-EXCEED AMOUNT FOR THE FIRST CONTRACT YEAR BY \$350,000.00 TO A TOTAL OF \$556,784.00, FOR ADDITIONAL SERVICES AND ITEMS RELATED TO THE RENOVATION OF THE NEW TOWN HALL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, Article X of the Town Charter of the Town of Fort Myers Beach ("Town") empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

**WHEREAS**, the Town of Fort Myers Beach Code Sec. 2-480 (d) provides the basis for an emergency purchase for the Town Manager to make, or authorize others to make, of supplies, services or construction items when there exists a threat to public health, welfare or safety; provided that such emergency purchases are made with such competition as is practicable under the circumstances; and

**WHEREAS**, the exigent nature of the renovation of the commercial building at 6231 Estero Blvd. purchased by the Town to become the new Town Hall has required the Town to act immediately upon design and construction decisions to ensure the Town will be able to vacate its temporary trailers as soon as possible to minimize the expense of renting the trailers, comply with FEMA directives, and return to normal operations; and

**WHEREAS**, the Town has a two-year professional service contract with Softrim LLC ending September 30, 2026, to provide information technologies services for an annual cost of \$191,784, which also includes provisions for "out of scope items and pricing"; and

**WHEREAS**, the Town has identified the following information technology related items related to the renovation of the new town hall that it deems essential for the efficient operation of Town business:

1) Secure door access and surveillance	\$35,626.00
2) AV equipment for new chambers	\$72,950.00
3) Tricaster upgrade for new chambers	\$43,067.98
4) Wiring for first floor	\$37,201.54
5) Wiring for second floor	\$27,213.17
6) Wiring for third floor	\$20,469.47
7) Wiring and accessories for second floor	\$49,390.06
8) Closed captioning equipment	\$56,768.00
9) Cabling for new chambers	\$ 1,117.50
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Subtotal	\$343,803.72
Contingency	\$21,196.28
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Total	\$365,000.00

**WHEREAS**, Softrim LLC has the expertise and capacity to immediately provide the items and services needed,  
and

WHEREAS, the Town Manager exercised his authority to utilize the existing professional service contract with Softrim LLC to execute emergency purchase orders for the above identified items totaling \$343,803.72 to ensure the work was completed as soon as possible; and

WHEREAS, it is prudent to seek approval for an additional contingency amount of \$21,196.28 to allow for additional expenditures should it be deemed necessary; and

WHEREAS, Florida law requires the inclusion of certain contractual terms and conditions which have been included in the addendum to the Softrim contract.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH, AS FOLLOWS:**

Section 1. The above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. This Resolution authorizes the First Amendment to the Professional Service Agreement with Softrim LLC dated October 1, 2024 that includes an increase of the not-to-exceed amount from \$191,784.00 during the first contract year to \$556,784.00 (an increase of \$365,000.00), and also includes the addition of certain contractual terms and conditions required by Florida law.

Section 3. This Resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member King and seconded by Council Member Safford and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 17<sup>th</sup> day of March, 2025 by the Town Council of the Town of Fort Myers Beach, Florida.

**TOWN OF FORT MYERS BEACH**

Dan Allers  
Dan Allers (Mar 19, 2025 18:05 EDT)

Dan Allers, Mayor

**ATTEST:**

Amy Baker  
Amy Baker (Mar 19, 2025 18:18 EDT)

Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

Nancy Stuparich  
Nancy Stuparich (Mar 19, 2025 18:19 EDT)

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 20<sup>th</sup> day March 2025.