

Agenda Item # C – 3

VILLAGE OF ROYAL PALM BEACH

Agenda Item Summary

AGENDA ITEM: Approval and authorization for the Village Manager to execute the “Second Addendum to Ice Cream Vendor Services Agreement” between the Village and Kool Running’s, LLC to provide for the first one (1) year renewal term beginning July 1, 2024 and ending June 30, 2025.

ISSUE: The Second Addendum renews and extends the existing agreement for the first one (1) year renewal period beginning July 1, 2024 and ending June 30, 2025 with no additional changes to the terms or conditions of the Agreement as stated therein.

RECOMMENDED ACTION: Staff recommends approval.

Initiator:	Village Manager	Agenda	Village Council
Director of Parks	Approval:	Date:	Action:
And Recreation		5/16/24	

**SECOND ADDENDUM TO PROVISION OF SERVICES AGREEMENT BETWEEN THE
VILLAGE OF ROYAL PALM BEACH AND KOOL RUNNING'S LLC.**

THIS SECOND ADDENDUM TO PROVISION OF SERVICES AGREEMENT BETWEEN THE VILLAGE OF ROYAL PALM BEACH AND KOOL RUNNING'S, LLC, a limited liability corporation, ("Second Addendum") is hereby entered into this ____ day of May 1, 2024, effective July 1 2024, by and between the Village of Royal Palm Beach, a municipal corporation, ("Village") having its principal office located at 1050 Royal Palm Beach Boulevard, Royal Palm Beach, Florida, 33411; and Kool Running's, LLC a Florida corporation having its principal place of business address at 175 Miramar Avenue, Royal Palm Beach, Florida, 33411 ("Consultant").

WHEREAS, the Village and Consultant entered into a Provision of Services Agreement Between the Village of Royal Palm Beach and Kool Running's, LLC ("Agreement") on July 5, 2022 with an initial term expiring on June 30, 2024; and

WHEREAS, the Village and Consultant entered into a First Addendum to Provision of Services Agreement Between the Village of Royal Palm Beach and Kool Running's, LLC. ("First Addendum") on August 14, 2022, effective as of October 1, 2022, with a term expiring June 30, 2024; and

WHEREAS, the AGREEMENT stated that the Vendor was to begin providing services and making monthly payments to the Village on July 1, 2022; and

WHEREAS, the Vendor was unable to begin providing services on July 1, 2022 due to delays in the delivery of required equipment; and

WHEREAS, the Village and the Vendor have agreed to revise the start date of the agreement and payments due to the Village under the AGREEMENT in order to be fair and equitable given the delivery delays.

WHEREAS, the Agreement stated that the Village has the option of extending the Agreement for four (4) additional one-year periods on the same terms and conditions, with such extension required to be in the form of a written amendment to the Agreement executed by both parties; and

WHEREAS, the Agreement provides that the Village has the option of extending the Agreement for four (4) additional one-year periods on the same terms and conditions, with such extension required to be in the form of a written amendment to the Agreement executed by both parties; and

WHEREAS, the Village and Consultant desire to renew the Agreement for the first one-year renewal term.

NOW, THEREFORE, and in consideration of mutual terms, conditions, promises, covenants and payments hereinafter set forth, the Village and Consultant agree as follows:

Section 1: The above-referenced Agreement is renewed such that it shall run from July 1, 2024 until June 30, 2025. This is the first renewal of the Agreement as permitted by the provisions of the Agreement.

Section 2: All other Sections and recitals of the above-referenced Agreement shall remain in full force and effect.

Section 3: This Second Addendum shall be attached to the current Agreement and shall become a part thereof.

[SIGNATURE PAGES BELOW]

IN WITNESS WHEREOF, the parties have executed this Second Addendum on the date set forth above.

WITNESSES:

By: _____

Print Name: _____

KOOL RUNNING'S LLC.

By: _____

Print Name: _____

Title: _____

Date: _____

WITNESSES:

By: _____

Print Name: _____

VILLAGE OF ROYAL PALM BEACH

By: _____

Print Name: _____

Title: _____

Date: _____