

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH MED FIT, LLC TO AMEND THE PAYMENT TERMS AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AMENDMENT

WHEREAS, on July 19, 2022, the board approved Resolution No.: 185-2022 authorizing the mayor to sign an agreement with Med Fit, LLC; and

WHEREAS, the agreement was signed on July 25, 2022, and the compensation agreed upon was an amount not to exceed \$142,800.00 to be paid upon receipt of invoices from Med Fit, LLC; and

WHEREAS, the vendor is now requesting a change in the agreement to a flat monthly fee of \$12,750.00, and

WHEREAS, in consideration of this request, city deems a flat monthly fee to be appropriate to maintain the viability of the program without creating an appreciable financial impact to the city; and

WHEREAS, the program would stay within the budgeted amount for the year subsequent to this amendment; and

WHEREAS, funding for the agreement and subsequent amendment is in Account No.: 61516014132061.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the amendment to the agreement with Med Fit, LLC is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, an amendment to the agreement for a change in payment terms with Med Fit, LLC, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution.

SECTION II. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the amendment/agreement set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 7th day of February, 2023.

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PATRICK W. SHULL, MAYOR

ATTEST:

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ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

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RODNEY B. ROWLETT, III, CITY ATTORNEY