

CITY COUNCIL RESOLUTION NO. 2021-188

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A LEASE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE - FOREST SERVICE; PROVIDING FOR THE INCORPORATION OF EXECUTIVE ORDER 14042 AND ADEQUATE COVID-19 SAFETY PROTOCOLS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lake City, Florida (hereinafter the "City"), and the United States Department of Agriculture, Forest Service (hereinafter the "Forest Service"), entered into a lease agreement for the lease of property located at Lake City Gateway Airport (hereinafter the "Lease Agreement"); and

WHEREAS, the Lease Agreement was authorized pursuant to City Council Resolution 2019-112, and the Lease Agreement has a current lease term that expires on April 30, 2039; and

WHEREAS, the Forest Service has requested the addition of Federal Acquisition Regulation (FAR) Clause 52.223-99 to incorporate Executive Order 14042 and ensure adequate COVID-19 safety protocols for federal contractors with the City; and

WHEREAS, the City Council finds that it is in the City's best interest and the best interest of its citizens to enter into the *United States Department of Agriculture, Forest Service, Lease Amendment (Lease Amendment No. 1)* in accordance with the terms and conditions set forth in the proposed amendment attached hereto as "Exhibit A."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. The City Council hereby approves the *United States Department of Agriculture, Forest Service, Lease Amendment (Lease Amendment*

No. 1) with the United States Department of Agriculture, Forest Service, of property located at the Lake City Gateway Airport.

Section 3. The Mayor is authorized to execute the *United States Department of Agriculture, Forest Service, Lease Amendment (Lease Amendment No. 1)*.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED a meeting of the City Council this ____ day of December 2021.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE	LEASE AMENDMENT No. ¹
	LEASE CONTRACT No. 1243ZP19L0502
LEASE AMENDMENT	
ADDRESS OF PREMISES Lake City Gateway Airport 3524 E. US HWY 90 Lake City, FL 32055	

THIS AMENDMENT is made and entered into between City of Lake City

whose address is: 205 Marion Avenue, Lake City, FL 32055

hereinafter called the Lessor, and the **UNITED STATES OF AMERICA**, hereinafter called the Government:

WHEREAS the parties hereto desire to amend the above Lease to add FAR Clause 52.223-99, Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors (OCT 2021) (DEVIATION).

NOW THEREFORE, these parties for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, covenant and agree that the said Lease is amended, effective October 25, 202 as follows:

52.223-99 ENSURING ADEQUATE COVID-19 SAFETY PROTOCOLS FOR FEDERAL CONTRACTORS (OCT 2021) (DEVIATION)

(a) *Definition.* As used in this clause -

United States or its outlying areas means—

- (1) The fifty States;
- (2) The District of Columbia;
- (3) The commonwealths of Puerto Rico and the Northern Mariana Islands;
- (4) The territories of American Samoa, Guam, and the United States Virgin Islands; and
- (5) The minor outlying islands of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Islands, Navassa Island, Palmyra Atoll, and Wake Atoll.

This Lease Amendment contains 2 pages.

All other terms and conditions of the lease shall remain in force and effect.
IN WITNESS WHEREOF, the parties subscribed their names as of the below date.

FOR THE LESSOR:

FOR THE GOVERNMENT:

Signature: _____
Name: _____
Title: _____
Entity Name: _____
Date: _____

Signature: _____
Name: _____
Title: Lease Contracting Officer
Date: _____

WITNESSED FOR THE LESSOR BY:

Signature: _____
Name: _____
Title: _____
Date: _____

(b) *Authority.* This clause implements Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors, dated September 9, 2021 (published in the Federal Register on September 14, 2021, 86 FR 50985).

(c) *Compliance.* The Contractor shall comply with all guidance, including guidance conveyed through Frequently Asked Questions, as amended during the performance of this contract, for contractor or subcontractor workplace locations published by the Safer Federal Workforce Task Force (Task Force Guidance) at <https://www.saferfederalworkforce.gov/contractors/>.

(d) *Subcontracts.* The Contractor shall include the substance of this clause, including this paragraph (d), in subcontracts at any tier that exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award, and are for services, including construction, performed in whole or in part within the United States or its outlying areas.

(End of clause)

INITIALS: _____ & _____
LESSOR GOV'T