

AGREEMENT AMENDMENT #1
BETWEEN THE
CITY OF COOPER CITY
AND
SOLITUDE LAKE MANAGEMENT, LLC.

The City of Cooper City, a municipal corporation, with principal offices located at 9090 SW 50 Place, Cooper City, FL 33328 (CITY), and SOLITUDE LAKE MANAGEMENT, LLC., located at 5869 Enterprise Pkwy, Ft. Myers, FL 33905 (the "Contractor") agree to amend the original Agreement dated August 1, 2018 to provide retention pond maintenance services pursuant to Bid Number ITB 2018-4-PW.

1. Pursuant to the terms of Section 5, Scope of Work/Technical Specifications, the original Agreement dated August 1, 2018, between the City and Solitude Lake Management, LLC. and in recognition of satisfactory performance under the current term of the Agreement, the CITY hereby exercises its rights to exercise the first (1) of two (2) 1-year renewal options of the Agreement for the term August 1, 2021 through July 31, 2022, and Contractor agrees to such renewal.

* * *

2. As required by Florida Statute, Contractor reaffirms compliance with "Scrutinized Companies":

Scrutinized Companies -- 287.135 and 215.473

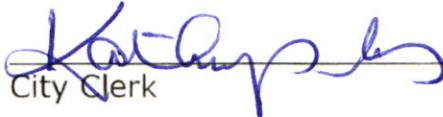
SCRUTINIZED COMPANIES. CONTRACTOR certifies that it and any of its affiliates are not scrutinized companies as identified in Section 287.135, F.S. In addition, CONTRACTOR agrees to observe the requirements of Section 287.135, F.S., for applicable sub-agreements entered into for the performance of work under this Agreement. Pursuant to Section 287.135, F.S., the CITY may immediately terminate this Agreement for cause if the CONTRACTOR, its affiliates, or its subcontractors are found to have submitted a false certification; or if the CONTRACTOR, its affiliates, or its subcontractors are placed on any applicable scrutinized companies list or engaged in prohibited contracting activity during the term of the Agreement. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions then they shall become inoperative.

* * *

All other provisions of the original agreement remain in effect as written.

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature. CITY OF COOPER CITY, signing by and through its City Manager, and SOLITUDE LAKE MANAGEMENT, LLC., signing by and through its Director of Lake Management, duly authorized to execute same.

ATTEST:


City Clerk

3/17/21

Date

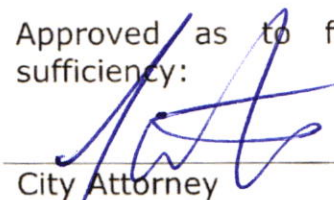
CITY OF COOPER CITY


City Manager

3/17/21

Date


Approved as to form and legal sufficiency:


City Attorney

3/17/21

Date

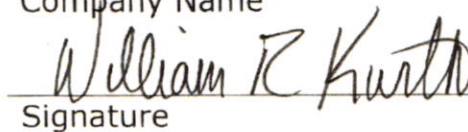
ATTEST:


Corporate Secretary

Bruce Gelting
Type/Print Name of Corporate Secy.

SOLITUDE LAKE MANAGEMENT, LLC.

Company Name


Signature

Bill Kurth
Director of Lake Management

Date

(CORPORATE SEAL)



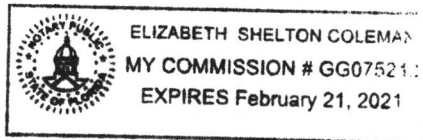
CORPORATE ACKNOWLEDGEMENT

STATE OF Florida :

COUNTY OF Broward :

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared Bill Kurth, Director of Lake Management of SOLITUDE LAKE MANAGEMENT, LLC., a Florida Corporation, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal this 18 day of January, 2021.



Elizabeth Shelton Coleman
Signature of Notary Public
State of Florida

Elizabeth Shelton Coleman
Print, Type or Stamp
Name of Notary Public

- Personally known to me or
- Produced Identification

Type of I.D. Produced

- DID take an oath, or
- DID NOT take an oath.

SOLITUDE LAKE MANAGEMENT, LLC.

Retention Pond Location	Original/Additional Location
One (1) Retention Pond water used to irrigate surrounding areas 11221 SW 49 Street	Original Location



January 5, 2021

Request to Renew

Mr. Bill Kurth
Director of Lake Management
Solitude Lake Management
6180 Idlewild Street
Fort Meyers, FL 33966

Subject: Renewal ITB 2018-4-PW, Retention Ponds Maintenance

Dear Mr. Kurth,

The initial term for contract ITB 2018-4-PW, Retention Pond Maintenance with your company will expire on August 1, 2021. Provided you will agree to renew under the same terms and conditions of the original contract, the City of Cooper City would like to renew the contract for the period covering August 1, 2021, through August 1, 2022.

If you agree to renew, please sign and return this letter. A response by email to jwofford@coopercityfl.org is preferred. Once received, the renewal will be presented to the City Commission for approval.

Sincerely,

Steven Williamson
Public Works Director

Cc: Kerri Anne Fisher, Purchasing Agent
Jeanette Wofford, Operations Supervisor/Arborist

<input checked="" type="checkbox"/>	I agree to renew this contract for the period requested above.
<input type="checkbox"/>	I do NOT agree to renew this contract.
Signature	
Business Manager	
Title	Date
	1/6/2021





CONTRACT AWARD

Check one: Term Contract One-time Purchase Continuing Contract
 Check one: New Contract Term Contract Renewal Piggyback _____
 (Contract Owner/Agency)

The terms and conditions contained in the attached solicitation, vendor response and resulting award will be used to contract with the successful bidder(s) and will govern the contractual relationship between the parties for the duration of the engagement.

Solicitation Number & Name: ITB 2018-4-PW, Retention Ponds Maintenance
Initial Contract Term: **Contract Start Date:** August 1, 2018
Contract End Date: July 31, 2021
Contract Renewals: **# Renewals Allowed:** 2
Renewal Period: 1 year

Section 1: Vendor Award (Additional vendors shall be listed on a separate Contract Award form)

Vendor/DBA:	Solitude Lake Management, LLC.	Vendor FEIN:	54-1940110
Vendor Address:	6180 Idlewild Street, Fort Myers, FL 33966	Contact Title:	Director of Lake Management
Contact Name:	Bill Kurth	Mobile:	
Office Phone:	888-480-5253	Website:	SOLitudelake.com
Email:	bkurth@solitudelake.com		

Section 2: Award/Background Information

Award Date: 07/17/18 **Resolution # (if applicable):** _____
Awarded Amount: \$ 1,980 (insert 1st year commitment for term contracts)
Bond Type(s): Bid Bond Public Construction Payment & Performance
 Agent: _____ Agent: _____ Agent: _____
 Date Recorded: _____ Date Recorded: _____ Date Recorded: _____
 Bond #: _____ Bond #: _____ Bond #: _____
 Amount: _____ Amount: _____ Amount: _____
Insurance Recv'd: Gen Liability Workers' Comp Prof. Liability Auto
 Other(s): _____

Section 3: Signatures/Execution

Vendor: William R Kurth
Signature: Bill Kurth
Printed Name: DIRECTOR OF LAKE MANAGEMENT, FC
Title: 8-5-18
Date: _____

City: K. Fisher
Signature: _____
 Kerri Anne Fisher
Printed Name: _____
 Purchasing Agent
Title: _____
 08/01/2018
Date: _____

FIRST AMENDMENT AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (“Amendment”), dated the 9th day of March, 2021, between:

THE CITY OF COOPER CITY, a Florida municipal corporation,
hereinafter referred to as "CITY,"
and

DBI SERVICES, LLC d/b/a AQUAGENIX, hereinafter referred to as
"CONTRACTOR".

WHEREAS, on or about August 1, 2018, the CITY entered into an agreement with CONTRACTOR for the retention pond maintenance project (the "Original Agreement") pursuant to ITB 2018-4 (the "ITB"); and

WHEREAS, CITY and CONTRACTOR have negotiated the terms of this First Amendment; and

WHEREAS, at its meeting of March, 2021, the CITY approved this First Amendment with the CONTRACTOR; and

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements herein contained and other good and valuable consideration, the receipt of which are hereby acknowledged, the CITY and CONTRACTOR agree to amend the Original Agreement, as amended, as follows:

1. RECITALS: Each whereas clause set forth above is true and correct and incorporated herein by this reference.

2. TERM: Pursuant Section 1.5, of the ITB, the City is exercising its right to extend the Agreement for the first one (1) year renewal term to extend the term of the Services for one (1) year from August 1, 2021 through July 31, 2022.

3. Section 3, entitled "General Conditions", set forth in the ITB, is hereby revised and amended to include subsections 3.45 and 3.46, as set forth below:

3.45 SCRUTINIZED COMPANIES -- 287.135 AND 215.473

SCRUTINIZED COMPANIES. CONTRACTOR certifies that it and any of its affiliates are not scrutinized companies as identified in Section 287.135, F.S. In addition, CONTRACTOR agrees to observe the requirements of Section 287.135, F.S., for applicable sub-agreements entered into for the performance of work under this Agreement. Pursuant to Section 287.135, F.S., the CITY may immediately terminate this Agreement for cause if the CONTRACTOR, its affiliates, or its subcontractors are found to have submitted a false certification; or if the CONTRACTOR, its affiliates, or its subcontractors are placed on any applicable scrutinized companies list or engaged in

prohibited contracting activity during the term of the Agreement. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize these contracting prohibitions then they shall become inoperative.

3.46 E-VERIFY

A. **Registration Requirement; Termination.** Pursuant to Section 448.095, Florida Statutes, effective January 1, 2021, Contractors, shall register with and use the E-verify system in order to verify the work authorization status of all newly hired employees. Contractor shall register for and utilize the U.S. Department of Homeland Security’s E-Verify System to verify the employment eligibility of:

(i) All persons employed by a Contractor to perform employment duties within Florida during the term of the contract; and

(ii) All persons (including sub vendors/sub consultants/subcontractors) assigned by Contractor to perform work pursuant to the contract with the City of Cooper City. The Contractor acknowledges and agrees that registration and use of the U.S. Department of Homeland Security’s E-Verify System during the term of the contract is a condition of the contract with the City of Cooper City; and

(iii) The Contractor shall comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes, but is not limited to registration and utilization of the E-Verify System to verify the work authorization status of all newly hired employees. Contractor shall also require all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The Contractor shall maintain a copy of such affidavit for the duration of the contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute, the subcontract must be terminated immediately. Any challenge to termination under this provision must be filed in the Circuit Court no later than twenty (20) calendar days after the date of termination. Termination of this Contract under this Section is not a breach of contract and may not be considered as such. If this contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of one (1) year after the date of termination.

4. Subsection 5.6, entitled “Additional Work Upon Request”, set forth in the ITB, is hereby invoked to request the additional work, as set forth in the revised Scope of Work subsection 5.2, entitled “Locations” is set forth below:

ADDITIONAL LOCATIONS & PRICES

Pond Location	Price per month
Flamingo West Park address is 6201 S Flamingo Road	\$390 per month
Flamingo Park lake (south of Flamingo Park)	\$305 per month

5. **ORIGINAL AGREEMENT:** All of the terms and conditions of the Original Agreement as amended from time to time shall be binding and remain in full force and effect except as expressly amended hereinabove.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seal the day and year first written above.

CITY OF COOPER CITY:

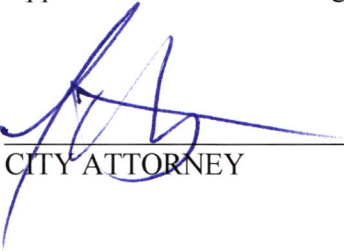
Attest:

BY: _____
CITY MANAGER



CITY CLERK

Approved as to form and legal sufficiency:



CITY ATTORNEY

ATTEST:


Corporate Secretary



Type/Print Name of Corporate Secy.

(CORPORATE SEAL)

DBI SERVICES, LLC, DBA AQUAGENIX

Company Name



Signature

Anthony Villedrouin

Business Manager

2/03/2021

Date

STATE OF Florida)

COUNTY OF Broward)

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization, this 3 day of Feb, 2021, by Anthony Villedrouin, who is
personally known to me or has produced n/a as identification.

SWORN TO AND SUBSCRIBED BEFORE ME this 3 day of february
20 21.

Anita M. Borrero

NOTARY PUBLIC

Anita M. Borrero

My Commission Expires:

04/02/24

Serial Number, if any:



ANITA M. BORRERO
Commission # GG 955032
Expires April 2, 2024
Bonded Thru Budget Notary Services

DBI SERVICES, LLC d/b/a AQUAGENIX

Retention Pond Location	Original/Additional Location
Two (2) Retentions Ponds 9300 Block of Griffin Road & 10400 Block of Griffin Road	Original Location
One (1) Retention Pond with One (1) Wetland & Upland Preserve Area 11200 Block of Griffin Rd	Original Location
One (1) Retention Pond with One (1) Filter Marsh Area Jerry Morgan Park - 5500 Palm Avenue	Original Location
Flamingo West Park - 6201 S Flamingo Road	Additional Location
Flamingo Park Lake (south of Flamingo Park)	Additional Location



January 5, 2021

Request to Renew

Mr. Anthony Villedrouin
Business Manager
DBI Services, LLC dba Aquagenix
1460 SW 3rd Street, Suite B1
Pompano Beach, FL 33069

Subject: Renewal #1-ITB 2018-4-PW, Retention Ponds Maintenance

Dear Mr. Villedrouin,

The initial term for contract ITB 2018-4-PW, Retention Pond Maintenance with your company will expire on August 1, 2021. Provided you will agree to renew under the same terms and conditions of the original contract, the City of Cooper City would like to renew the contract for the period covering August 1, 2021, through August 1, 2022.

If you agree to renew, please sign and return this letter. A response by email to jwofford@coopercityfl.org is preferred. Once received, the renewal will be presented to the City Commission for approval.

Sincerely,

Steven Williamson
Public Works Director

Cc: Kerri Anne Fisher, Purchasing Agent
Jeanette Wofford, Operations Supervisor/Arborist

<input checked="" type="checkbox"/>	I agree to renew this contract for the period requested above.
<input type="checkbox"/>	I do NOT agree to renew this contract.
Signature	
Business Manager	01/6/21
Title	Date





CONTRACT AWARD

Check one: Term Contract One-time Purchase Continuing Contract
Check one: New Contract Term Contract Renewal Piggyback _____
(Contract Owner/Agency)

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Initial Contract Term:	Contract Start Date: August 1, 2018
	Contract End Date: July 31, 2021
Contract Renewals:	# Renewals Allowed: 2
	Renewal Period: 1 year

Section 1: Vendor Award (Additional vendors shall be listed on a separate Contract Award form)

Vendor/DBA:	DBI Services, LLC dba Aquagenix	Vendor FEBC:	23-2332783
Vendor Address:	1460 SW 3rd Street, Suite B1, Pompano Beach, FL 33069		
Contact Name:	Anthony Villedrouin	Contact Title:	Business Manager
Office Phone:	954-943-5118	Mobile:	
Email:	anthony.villedrouin@dbiservices.com	Website:	www.dbiservices.com

Section 2: Award/Background Information

Award Date:	07/17/18	Resolution # (if applicable):	
Awarded Amount:	\$ 5,640.00	(insert 1 st year commitment for term contracts)	
Bond Type(s):	Bid Bond <input type="checkbox"/>	Public Construction <input type="checkbox"/>	Payment & Performance <input type="checkbox"/>
	Agent: _____	Agent: _____	Agent: _____
	Date Recorded: _____	Date Recorded: _____	Date Recorded: _____
	Bond #: _____	Bond #: _____	Bond #: _____
	Amount: _____	Amount: _____	Amount: _____
Insurance Rec'd:	Gen Liability <input checked="" type="checkbox"/>	Workers' Comp <input checked="" type="checkbox"/>	Prof. Liability <input type="checkbox"/> Auto <input type="checkbox"/>
	Other(s): _____		

Section 3: Signatures/Execution

Vendor: _____

Signature:

Printed Name: Anthony Villedrouin

Title: Business Manager

Date: 8/2/18

City: _____

Signature:

Printed Name: Kerri Anne Fisher

Title: Purchasing Agent

Date: 08/01/18



**THE CITY OF COOPER CITY
DOCUMENT ROUTING FORM**

ORIGINATING DEPARTMENT: Public Works
DEPT. CONTACT PERSON: Jeanette Wofford/ Tim Fleming **EXT.** 308/310

PLEASE COMPLETE FOR AGREEMENTS ONLY ***RETURN TO CITY CLERK'S OFFICE**

NAME OF OTHER CONTRACTUAL PARTY/ENTITY: N/A

IS THIS AGREEMENT A RESULT OF A COMPETITIVE PROCUREMENT PROCESS? YES NO
TOTAL CONTRACT AMOUNT: \$ 13,980/DBI, \$1,980/Solitude **FUNDING INVOLVED?** YES NO

OTHER: (PLEASE SPECIFY) _____

PURPOSE OF ITEM (BRIEF SUMMARY): Requesting signatures for Agreement of first one year renewal of contract # ITB2018-4-PW to DBI Services/Aquagenix and Solitude Lake Management as approved on the March 9, 2021 Commission Meeting

COMMISSION APPROVAL DATE: 03/09/21 **IF THIS DOES NOT REQUIRE COMMISSION**

APPROVAL, PLEASE EXPLAIN: _____

PLEASE COMPLETE FOR ALL OTHER ITEMS***RETURN TO ORIGINATING DEPARTMENT**

DOCUMENT TYPE: _____

PURPOSE OF ITEM (BRIEF SUMMARY): _____

ROUTING INFORMATION	Date	PLEASE PRINT AND SIGN
APPROVAL BY DEPARTMENTAL DIRECTOR	3/11/21	PRINT: Tim Fleming SIGNATURE: Tim Fleming <small>Digitally signed by Tim Fleming DN: cn=Tim Fleming, o=City of Cooper City, ou=Public Works, email=tim.fleming@cooper.org, c=US Date: 2021.03.11 14:51:21 -0500</small>
CITY ATTORNEY (IF APPLICABLE)		PRINT: <i>Jacob Hyman</i> SIGNATURE: <i>[Signature]</i>
RISK ASSESSMENT (IF APPLICABLE)	<i>X</i>	PRINT: <i>KSims</i> SIGNATURE: <i>[Signature]</i>
ASSISTANT CITY MANAGER		PRINT: <i>KSims</i> SIGNATURE: <i>[Signature]</i>
RECEIVED BY CITY MANAGER	<i>3/18/21</i>	PRINT: <i>J NAPA</i> SIGNATURE: _____
		PRINT: _____ SIGNATURE: _____

PLEASE ATTACH THIS ROUTING FORM TO ALL DOCUMENTS THAT REQUIRE EXECUTION BY THE CITY MANAGER