CITY OF WESTON, FLORIDA RESOLUTION NO. 2023-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF WESTON AND JUNIPER LANDSCAPING OF FLORIDA, LLC, F/K/A GREENSOURCE LANDSCAPE AND SPORTS TURF, INC., FOR PARKS MAINTENANCE SERVICES, RFP NO. 2019-13, PARKS GROUP A: REGIONAL PARK AND HERON PARK, RENEWING FOR AN ADDITIONAL THREE-YEAR TERM.

WHEREAS, First, the City of Weston (the "City") owns, operates and maintains the parks which require labor, supervision, equipment, supplies, tools, materials, and all other necessary incidentals to perform maintenance and operations of the parks; and

WHEREAS, Second, funding is appropriated within the Fiscal Year 2023 Budget, General Fund - Parks and Recreation; and

WHEREAS, Third, on March 16, 2020, the City Commission adopted Resolution No. 2020-25, accepting and ratifying the ranking of the firms under RFP No. 2019-13 for Parks Maintenance Services, Parks Group A: Regional Park and Heron Park and awarding and approving an Agreement with Greensource Landscape and Sports Turf, Inc.; and

WHEREAS, Fourth, on May 29, 2020, the City entered into an Agreement for Parks Maintenance Services, RFP No. 2019-13, Parks Group A: Regional Park and Heron Park with Greensource Landscape and Sports Turf, Inc. (the "Agreement"); and

WHEREAS, Fifth, on June 15, 2020, the City Commission adopted Resolution No. 2020-62 approving the consent to the assignment and assumption of the Agreement between the City of Weston, Florida, and Greensource Landscape and Sports Turf, Inc. to Juniper Landscaping of Florida, LLC (the Contractor"); and

WHEREAS, Sixth, on July 6, 2021, the City Commission adopted Resolution No. 2021-88, approving the First Amendment to the Agreement, amending Section 4, Standards of Contractor, of the Agreement to include the federally mandated provisions and FEMA recommendations in paragraphs 4.16 through 4.29; and

WHEREAS, Seventh, on September 12, 2022, the City Commission adopted Resolution No. 2022-107, approving the Second Amendment to the Agreement, memorializing new rates in the Fee Schedule that are adjusted annually by the applicable Consumer Price Index (CPI), in the form of an amendment to the Agreement rather than solely relying on the issuance of the CPI rate increase notification letter, to ensure compliance with FEMA reimbursement process; and

WHEREAS, Eighth, Section 1.1 of the Agreement provides for two optional three-year renewals by mutual consent of the parties; and

WHEREAS, Ninth, Section 8.5-E. of the Agreement provides that beginning on October 1st, 2020 and each October 1st thereafter, the Contractor shall receive an annual adjustment in the unit rates and fees. The adjustment shall be based on the annual change in the February Consumer Price Index (CPI), All Urban Consumers, Not Seasonally Adjusted, All Items, Miami-Fort Lauderdale Area-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF WESTON AND JUNIPER LANDSCAPING OF FLORIDA, LLC, F/K/A GREENSOURCE LANDSCAPE AND SPORTS TURF, INC., FOR PARKS MAINTENANCE SERVICES, RFP NO. 2019-13, PARKS GROUP A: REGIONAL PARK AND HERON PARK, RENEWING FOR AN ADDITIONAL THREE-YEAR TERM.

West Palm Beach, 1982-84 = 100, Series ID: CUURS35BSA0, CUUSS35BSA0, except that the annual adjustment to the costs shall not exceed 5% (increase or decrease); and

WHEREAS, Tenth, the parties are desirous of a Third Amendment renewing the Agreement, currently due to expire March 31, 2023, for an additional three-year term to expire on March 31, 2026 under the current terms of the Agreement; and

WHEREAS, Eleventh, the City and Contractor agree that the Amendment and any other documents to be delivered in connection to the Agreement may be electronically signed, and that any electronic signatures appearing on the Amendment or such other documents are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility; and

WHEREAS, Twelfth, the City Commission believes it is in the best interest of the City to renew the Agreement with Juniper Landscaping of Florida, LLC, f/k/a Greensource Landscape and Sports Turf, Inc. for an additional three-year term, from April 1, 2023 through March 31, 2026.

NOW THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

<u>Section 1</u>: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

<u>Section 2</u>: The City Commission approves the renewal of the Agreement for Parks Maintenance Services - Parks Group A: Regional Park and Heron Park, RFP No. 2019-13, with Juniper Landscaping of Florida, LLC, f/k/a Greensource Landscape and Sports Turf, Inc., for an additional three-year term, due to expire on March 31, 2026.

Section 3: The Third Amendment to the Agreement for Parks Group A: Regional Park and Heron Park with Juniper Landscaping of Florida, LLC, f/k/a Greensource Landscape and Sports Turf, Inc., is approved, in substantially the form attached as Exhibit "A," together with such non-substantial changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney.

Section 4: The appropriate CITY officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 5: This Resolution shall take effect upon its adoption.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF WESTON AND JUNIPER LANDSCAPING OF FLORIDA, LLC, F/K/A GREENSOURCE LANDSCAPE AND SPORTS TURF, INC., FOR PARKS MAINTENANCE SERVICES, RFP NO. 2019-13, PARKS GROUP A: REGIONAL PARK AND HERON PARK, RENEWING FOR AN ADDITIONAL THREE-YEAR TERM.

ADOPTED by the City Commission of the City of Weston, Florida, this 21st day of February 2023.

Margared	Duoto
Margaret Brown, M.	ayor

ATTEST:

Patricia A. Bates, MMC, City Clerk

Approved as to form and legality for the use of and reliance by the City of Weston only:

Jamie Alan Cole, City Attorney

Roll Call:
Commissioner Mead
Commissioner Eddy
Commissioner Molina-Macfie
Commissioner Jaffe
Mayor Brown
Yes
Yes
Yes

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF WESTON AND JUNIPER LANDSCAPING OF FLORIDA, LLC, F/K/A GREENSOURCE LANDSCAPE AND SPORTS TURF, INC., FOR PARKS MAINTENANCE SERVICES, RFP NO. 2019-13, PARKS GROUP A: REGIONAL PARK AND HERON PARK, RENEWING FOR AN ADDITIONAL THREE-YEAR TERM.

Exhibit "A"

Third Amendment to the Agreement between City of Weston and Juniper Landscaping of Florida, LLC f/k/a Greensource Landscape and Sports Turf, Inc. for Parks Maintenance Services, RFP No. 2019-13, Parks Group A: Regional Park and Heron Park

(See Following 7 Pages)

THIRD AMENDMENT TO THE AGREEMENT

BETWEEN

CITY OF WESTON

AND

JUNIPER LANDSCAPING OF FLORIDA, LLC

F/K/A GREENSOURCE LANDSCAPE AND SPORTS TURF, INC.

FOR

PARKS MAINTENANCE SERVICES, RFP NO. 2019-13,

PARKS GROUP A: REGIONAL PARK AND HERON PARK

This Third Amendment to the Agreement is made and entered into this ______day of _______, 2023 between the City of Weston, a Florida municipal corporation (the "CITY") and Juniper Landscaping of Florida, LLC f/k/a Greensource Landscape and Sports Turf, Inc. ("CONTRACTOR") for Parks Maintenance Services, RFP No. 2019-13, Parks Group A: Regional Park and Heron Park ("Third Amendment").

WITNESSETH:

WHEREAS, First, on March 16, 2020, the City Commission adopted Resolution No. 2020-25, accepting and ratifying the ranking of the firms under RFP No. 2019-13 for Parks Maintenance Services - Parks Group A: Regional Park and Heron Park and awarding and approving an Agreement with Greensource Landscape and Sports Turf, Inc.; and

WHEREAS, Second, on May 29, 2020, the CITY entered into an Agreement for Parks Maintenance Services, RFP No. 2019-13, Parks Group A: Regional Park and Heron Park with Greensource Landscape and Sports Turf, Inc. (the "Agreement"); and

WHEREAS, Third, on June 15, 2020, the City Commission adopted Resolution No. 2020-62 approving the consent to the assignment and assumption of the Agreement between the City of Weston, Florida, and Greensource Landscape and Sports Turf, Inc., to Juniper Landscaping of Florida, LLC; and

WHEREAS, Fourth, on July 6, 2021, the City Commission adopted Resolution No. 2021-88, approving the First Amendment to the Agreement, amending Section 4, Standards of Contractor, of the Agreement to include the federally mandated provisions and FEMA recommendations in paragraphs 4.16 through 4.29; and

WHEREAS, Fifth, on September 12, 2022, the City Commission adopted Resolution No. 2022-107, approving the Second Amendment to the Agreement, memorializing new rates in the Fee Schedule that are adjusted annually by the applicable Consumer Price Index (CPI), in the form of an amendment to the Agreement rather than solely relying on the issuance of the CPI rate increase notification letter, to ensure compliance with FEMA reimbursement process; and

WHEREAS, Sixth, Section 1.1 of the Agreement provides for two optional three-year renewals by mutual consent of the parties; and

WHEREAS, Seventh, Section 8.5-E. of the Agreement provides that beginning on October 1st, 2020 and each October 1st thereafter, the Contractor shall receive an annual adjustment in the unit rates and fees. The adjustment shall be based on the annual change in the February Consumer Price Index (CPI), All Urban Consumers, Not Seasonally Adjusted, All Items, Miami-Fort Lauderdale Area-West Palm Beach, 1982-84 = 100, Series ID: CUURS35BSA0, CUUSS35BSA0, except that the annual adjustment to the costs shall not exceed 5% (increase or decrease); and

WHEREAS, Eighth, the parties are desirous of renewing the Agreement, currently due to expire March 31, 2023, for an additional three-year term to expire on March 31, 2026 under the current terms of the Agreement; and

WHEREAS, Ninth, the CITY and CONTRACTOR agree that this Amendment and any other documents to be delivered in connection to the Agreement may be electronically signed, and that any electronic signatures appearing on this Amendment or such other documents are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility; and

WHEREAS, Tenth, the City Commission believes it is in the best interest of the CITY to renew the Agreement with Juniper Landscaping of Florida, LLC, f/k/a Greensource Landscape and Sports Turf, Inc. for an additional three-year term, from April 1, 2023 through March 31, 2026.

IN CONSIDERATION OF THE MUTUAL COVENANTS AND CONDITIONS HEREIN EXPRESSED AND THE FAITHFUL PERFORMANCE OF ALL SUCH COVENANTS AND CONDITIONS, THE PARTIES AGREE AS FOLLOWS:

- 1. The above recitals are true and correct and are incorporated herein as set forth in full hereunder.
- 2. Pursuant to Section 8.5-E. of the Agreement, the Contract Price Schedule is attached as Exhibit "A."
- 3. The term of the Agreement is hereby extended for an additional three year term, expiring on March 31, 2026.
- 4. Except as herein amended, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Third Amendment to the Agreement on the respective dates under each signature: City of Weston through its City Commission, signing by and through its Mayor, authorized to execute same by Commission action on the 21st day of February 2023.

Patricia A. Bates, MMC, City Clerk

Approved as to form and legality for the use of and reliance by the City of Weston only:

By: Jamie Cole (Feb 22, 2023 14:16 EST)

Jamie Alan Cole, City Attorney

Date: Feb 22, 2023

CITY OF WESTON, through its City Commission

Margaret Brown, Mayor

day or march, 2

, 2023

Don Decker By:

Donald P. Decker, City Manager/CEO

Date: Feb 22, 2023

(CITY SEAL)

> CONTRACTOR: JUNIPER LANDSCAPING OF FLORIDA, LLC

By: M. Brandon Duke, President

Date: Feb 2, 2023

EXHIBIT A

Contract Price Schedule

Contract: RFP No. 2019-13 Parks Maintenance Services - Group A

Vendor: Juniper Landscaping of Florida, LLC

Effective: May 29, 2020 Exp. Date: March 31, 2023

Renewals: 2 - 3 yr.

CPI: February (not to exceed 5%)

CPI	: February (not to exceed 5%)			Originally	CPI 1.40%	CPI 5%
				Proposed Pricing	10/1/21 - 9/30/22	10/1/22 - 9/30/23
Item No.	Description of Task	Unit	Qty.	Cost Per Unit	Cost Per Unit	Cost Per Unit
A1	Regional Park	monthly	12	\$ 76,649.00	\$ 77,722.09	\$ 81,608.19
A2	Heron Park	monthly	12	\$ 2,917.00	\$ 2,957.84	\$ 3,105.73
A3	Bermuda Turf Installation (includes removal, disposal,	Sq. ft	20,000	\$ 1.73	\$ 1.75	\$ 1.84
A4	Infill re-installation on entire artificial turf field (per field). Infill material provide by the CITY	each	11	\$ 2,800.00	\$ 2,839.20	\$ 2,981.16

Item	Description of Task	Markup
A6	Tree and Plants (based on "Betrock's PlantFinder Wholesale	30%
A7	Miscellaneous building supplies and materials	30%
A8	Irrigation Parts & Supplies (based on SiteOne Landscape Supply	35%
A9	Chemicals & Fertilizers	35%

			Originally	CPI 1.40%	CPI 5%
UNIT PRICES FOR MATERIALS - SUPPLEMENTAL WORK		Proposed	10/1/21 - 9/30/22	10/1/22 - 9/30/23	
Item No.	Description	Unit	Cost Per Unit	Cost Per Unit	Cost Per Unit
E-1	St. Augustine "Palmetto" Sod	Square Ft.	\$0.95	\$ 0.96	\$ 1.01
E-2	Tifway 419 Sod	Square Ft.	\$1.73	\$ 1.75	\$ 1.84
E-3	Celebration Bermuda Sod	Square Ft.	\$1.73	\$ 1.75	\$ 1.84
E-4	Zoysia Sod	Square Ft.	\$1.50	\$ 1.52	\$ 1.60
E-5	Latitude 36 Bermuda Sod	Square Ft.	\$1.73	\$ 1.75	\$ 1.84
E-6	Spanish Gold Mulch – 2 cu. ft bag	Each	\$4.10	\$ 4.16	\$ 4.37
E-7	Soil – 50/50 mix	Cu. Yard	\$78.00	\$ 79.09	\$ 83.05
E-8	Soil – 80/20 mix	Cu. Yard	\$79.20	\$ 80.31	\$ 84.32
E-9	Soil 90/10 mix	Cu. Yard	\$81.00	\$ 82.13	\$ 86.24
E-10	Earthwise Gold Natural Pine Mulch - 2 cu. ft bag	Each	\$5.65	\$ 5.73	\$ 6.02
E-11	Annuals Mix	Cu. Yard	\$117.50	\$ 119.15	\$ 125.10
E-12	Sand	Cu. Yard	\$137.84	\$ 139.77	\$ 146.76
E-13	Volleyball Court Sand	Cu. Yard	\$137.84	\$ 139.77	\$ 146.76
E-14	Crimson Stone for Baseball/Softball Warning Tracks (Installed ½	Square Ft.	\$235.00	\$ 238.29	\$ 250.20
E-15	Field Clay for Baseball/Softball Infields and Pitcher's Mounds	Ton	\$113.58	\$ 115.17	\$ 120.93
E-16	Bio-Barrier 12" Root Barrier	Linear foot	\$19.85	\$ 20.13	\$ 21.13

CONT. EXHIBIT A

Contract Price Schedule

		~			
			Originally	CPI 1.40%	CPI 5%
UNIT PRICES FOR LABOR and EQUIPMENT - SUPPLEMENTAL WORK			Proposed	10/1/21 - 9/30/2	2 10/1/22 - 9/30/23
Item No.	Description	Unit	Cost Per Hour	Cost Per Hour	Cost Per Hour
E-1	Laborer/Groundskeeper	Hourly	\$38.00	\$ 38.5	
E-2	Irrigation Helper	Hourly	\$38.00	\$ 38.5	
E-3	Irrigation Technician - Certified	Hourly	\$55.00	\$ 55.7	7 \$ 58.56
E-4	Large Equipment Operator	Hourly	\$55.00	\$ 55.7	7 \$ 58.56
E-5	Supervisor/Foreman	Hourly	\$55.00	\$ 55.7	7 \$ 58.56
E-6	Graduate Horticulturist	Hourly	\$50.00	\$ 50.7	53.24
E-7	Bobcat w/operator	Hourly	\$80.00	\$ 81.1	2 \$ 85.18
E-8	Front end loader w/operator	Hourly	\$70.00	\$ 70.9	8 \$ 74.53
E-9	18 yard dump truck w/driver	Hourly	\$70.00	\$ 70.9	8 \$ 74.53
E-10	75 ton crane w/operator	Hourly	\$250.00	\$ 253.5	0 \$ 266.18
E-11	Work boat w/operator	Hourly	\$135.00	\$ 136.8	9 \$ 143.73
E-12	Climber/trimmer	Hourly	\$80.00	\$ 81.1	2 \$ 85.18
E-13	Chipper truck w/operator	Hourly	\$165.00	\$ 167.3	1 \$ 175.68
E-14	Bucket truck w/operator	Hourly	\$190.00	\$ 192.6	6 \$ 202.29
E-15	Water Truck w/operator	Hourly	\$45.00	\$ 45.6	3 \$ 47.91
E-16	Spray Technician	Hourly	\$70.00	\$ 70.9	8 \$ 74.53
E-17	Laser Grading of Sports Field	Hourly	\$180.00	\$ 182.5	2 \$ 191.65

RENEWAL LETTER



January 4, 2023

Mrs. Martha Perez-Garviso Director of Procurement City of Weston 17200 Royal Palm Boulevard Weston, Florida 33326

Re: RFP No. 2019-13 for Parks Maintenance Services - Parks Group A

Dear Mrs. Perez-Garviso:

The agreement between the City of Weston and Juniper Landscaping of Florida, LLC for Parks Maintenance Services - Parks Group A expires on March 31, 2023. The agreement provides an option to renew the agreement for two (2) additional three (3) year renewals, as mutually agreed upon by the City of Weston and Contractor.

This letter is to confirm that Juniper Landscaping of Florida, LLC would like to proceed with exercising the renewal term for this agreement with the City of Weston, for an additional three (3) year period, to be made effective April 1, 2023.

The Juniper Landscaping of Florida, LLC further understands that this renewal must also be approved by the Weston City Commission.

Sincerely,

M. Brandon Duke, President Juniper Landscaping of Florida, LLC

> Headquarters: 5880 Staley Road, Fort Myers, FL 33905 | (239) 561-5980 | www.junipercares.com Bonita Springs, Bradenton, Fort Lauderdale, Fort Myers, Naples, Orlando, Tampa, Venice, Vero Beach

Signature: Martha Perez-Garviso

Email: mperezgarviso@westonfl.org

Amendment No. 3 RFP No. 2019-13 for Parks Maintenance Services - Parks Group A

Final Audit Report 2023-02-22

Created: 2023-02-02

By: Martha Perez-Garviso (mperezgarviso@westonfl.org)

Status: Signed

Transaction ID: CBJCHBCAABAAH4NG6fXbmcuolf9Gz9zAcSkkaDnaS4Pa

"Amendment No. 3 RFP No. 2019-13 for Parks Maintenance Ser vices - Parks Group A" History

- Document created by Martha Perez-Garviso (mperezgarviso@westonfl.org) 2023-02-02 3:37:01 PM GMT- IP address: 164.51.202.66
- Document emailed to Brandon Duke (brandon@juniperlandscaping.com) for signature 2023-02-02 3:41:54 PM GMT
- Email viewed by Brandon Duke (brandon@juniperlandscaping.com) 2023-02-02 9:14:11 PM GMT- IP address: 65.141.168.29
- Document e-signed by Brandon Duke (brandon@juniperlandscaping.com)

 Signature Date: 2023-02-02 9:14:21 PM GMT Time Source: server- IP address: 65.141.168.29
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- Email viewed by Martha Perez-Garviso (mperezgarviso@westonfl.org) 2023-02-22 2:53:34 PM GMT- IP address: 164.51.202.66
- New document URL requested by Martha Perez-Garviso (mperezgarviso@westonfl.org) 2023-02-22 2:53:38 PM GMT- IP address: 164.51.202.66
- Document e-signed by Martha Perez-Garviso (mperezgarviso@westonfl.org)

 Signature Date: 2023-02-22 2:54:35 PM GMT Time Source: server- IP address: 164.51.202.66
- Document emailed to jcole@wsh-law.com for signature 2023-02-22 2:54:36 PM GMT
- Email viewed by jcole@wsh-law.com
 2023-02-22 3:14:25 PM GMT- IP address: 45.73.146.126

- Signer jcole@wsh-law.com entered name at signing as Jamie Cole 2023-02-22 7:15:59 PM GMT- IP address: 45.73.146.126
- Document e-signed by Jamie Cole (jcole@wsh-law.com)

 Signature Date: 2023-02-22 7:16:01 PM GMT Time Source: server- IP address: 45.73.146.126
- Document emailed to Don Decker (ddecker@westonfl.org) for signature 2023-02-22 7:16:02 PM GMT
- Email viewed by Don Decker (ddecker@westonfl.org) 2023-02-22 7:18:01 PM GMT- IP address: 164.51.202.66
- Document e-signed by Don Decker (ddecker@westonfl.org)

 Signature Date: 2023-02-22 7:18:11 PM GMT Time Source: server- IP address: 164.51.202.66
- Agreement completed. 2023-02-22 - 7:18:11 PM GMT