

**AMENDMENT NO. 2
TO AGREEMENT BETWEEN THE CITY OF COCONUT CREEK
AND
POTTER'S PROFESSIONAL LAWN CARE, LLC
FOR
LANDSCAPE MAINTENANCE SERVICES
(PRIMARY FOR FACILITIES & PARKS)
(SECONDARY FOR MEDIANS & RIGTHS-OF-WAY)
RFP No. 09-04-19-09**

This Amendment No. 2 to the Agreement between the City of Coconut Creek and Potter's Professional Lawn Care, LLC for Landscape Maintenance Services dated October 24, 2019 is made this _____ day of _____, 2022 by and between the City of Coconut Creek, Florida, (the "City"), and Potter's Professional Lawn Care, LLC (the "Vendor" or "Contractor") both of whom agree as follows:

WITNESSETH:

WHEREAS, the parties desire to amend the Agreement between the City of Coconut Creek and Potter's Professional Lawn Care, LLC for Landscape Maintenance Services dated October 24, 2019 ("Agreement") to allow for a five (5) percent price increase during the remainder of the initial contract period; and

WHEREAS, on June 29, 2022, a meeting was conducted between the City's Public Works department and Potter's Professional Lawn Care, LLC at which the Vendor notified the City that due to the extreme increases in fuel and material supply costs they could not afford to continue to operate without an increase; and

WHEREAS, the parties desire to update the Agreement to allow for an increase of five (5) percent during the remainder of the initial term of the Agreement for the period commencing on November 01, 2022 through October 31, 2023.

NOW, THEREFORE, based on the promises and covenants herein contained, the parties agree as follows:

1. The recitations above are hereby incorporated herein. Language changes to the Agreement as provided in this Amendment No. 2 are depicted as follows: words in strike through type are deletions from existing text; words in underscored type are additions to existing text; a line of asterisks (***) indicates existing text remains the same and is not shown.

2. Through this Amendment No. 2, the parties desire to supersede and replace Exhibit "A-1," the Schedule of Proposal Prices as incorporated in the Agreement dated October 24, 2019 through Amendment No. 1 dated November 9, 2021, by adopting Exhibit "A-2," as attached to this Amendment No. 2. The new Exhibit "A-2" reflects a five (5) percent increase from November 01, 2022 through October 31, 2023

3. All other terms and conditions of the Agreement dated October 24, 2019 as amended by Amendment No. 1 dated November 9, 2021 not specifically superseded by this Amendment No. 2, shall remain in full force and effect and are incorporated herein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 2 the day and year first above written; the CITY OF COCONUT CREEK, through its City Manager or designee, and Potter's Professional Lawn Care, LLC, signing by and through its President/Vice President, an authorized signatory, are duly authorized to execute same.

CITY OF COCONUT CREEK, FLORIDA

By: _____
Karen M. Brooks, City Manager

ATTEST:

Approved as to Legal Sufficiency
and Form:

By: _____
Joseph J. Kavanagh, City Clerk


By: _____
Terrill C. Pyburn, City Attorney

[Contractor signatures to follow]

**Amendment No. 2 to Agreement
 between the City of Coconut Creek and Potter's Professional Lawn Care, LLC
 for Landscape Maintenance Services
 RFP No. 09-04-19-09**

CONTRACTOR

ATTEST:



 (Corporate Secretary)

POTTER'S PROFESSIONAL LAWN CARE,
 LLC

Company Name



 Signature of President/Owner

8/24/22

 Date

NINA S POTTER FERNANDEZ

 Type/Print Name of Corporate Secy.

NINA S POTTER FERNANDEZ

 Type/Print Name of President/Owner

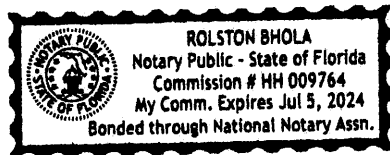
CORPORATE ACKNOWLEDGEMENT

STATE OF FLORIDA :
 :SS
 COUNTY OF BROWARD

I HEREBY CERTIFY The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 24th day of AUGUST, 2022, by NINA S POTTER FERNANDEZ as PRESIDENT (type of authority, e.g. officer, trustee, attorney in fact) for POTTER'S PROFESSIONAL LAWN CARE, LLC.



 Signature of Notary Public
 State of Florida at Large



Rolston Bhola

 Print, Type or Stamp
 Name of Notary Public

- Personally known to me or
- Produced Identification

 Type of I.D. Produced

CITY OF COCONUT CREEK LANDSCAPE MAINTENANCE SERVICES RFP NO. 09-04-19-09

EXHIBIT "A-2" AMENDMENT NO. 2

SCHEDULE OF PROPOSAL PRICES

POTTER'S LAWN & LANDSCAPING (POTTER'S PROFESSIONAL LAWN CARE, INC)

PRIMARY AWARD - FACILITIES & PARKS	UOM	UNIT	%5 Increase
1.Landscape Maintenance Facilities & Parks	Per Month	\$ 43,352.00	<u>\$ 45,519.60</u>
2.Landscape Maintenance Facilities & Parks	Annual	\$ 520,224.00	<u>\$ 546,236.20</u>
3. Windmill Dog Parks - total of two (2) parks.	Each	\$ 500.00	<u>\$ 525.00</u>
4.Windmill Dog Parks -total of two (2) parks	Annual	\$ 16,000.00	<u>\$ 16,800.00</u>
5. Temporary Fire Station # 113 - (2) visits per calendar month	Per Month	\$ 1,200.00	<u>\$ 1,260.00</u>
SECONDARY AWARD - MEDIANS	UOM	UNIT	UNIT
5.Landscape Maintenance: Medians	Per Month	\$ 32,671.00	<u>\$ 34,304.55</u>
6.Landscape Maintenance: Medfians	Annual	\$ 392,052.00	<u>\$ 411,654.60</u>
7.Maintenance of 441 Median South of Sawgrass - When completed	Per Month	\$ 150.00	<u>\$ 157.50</u>
8.Maintenance of 441 Median South of Sawgrass - When completed	Annual	\$ 1,800.00	<u>\$ 1,890.00</u>
9.ADDITIONAL SERVICE AS NEEDED	UOM	UNIT	UNIT
9.1.Sod Installation (St. Augustine)	Sq. Ft.	\$ 0.75	<u>\$ 0.79</u>
9.2.Sod Installation (Bahia)	Sq. Ft.	\$ 0.75	<u>\$ 0.79</u>
9.3.Additional Mowing including blowing, edging, weed whacking, etc.	Per acre	\$ 120.00	<u>\$ 126.00</u>
9.4.Tree Removal (up to 15' height)	Per tree	\$ 125.00	<u>\$ 131.25</u>
9.5.Tree Removal (> 15'to 30' height)	Per tree	\$ 425.00	<u>\$ 446.25</u>
9.6.Tree Removal (> 30' height)	Per tree	\$ 925.00	<u>\$ 971.25</u>
9.7.Tree Trimming / Shaping: Shade Trees - Canopy spread up to 10 ft.	Per tree	\$ 25.00	<u>\$ 26.25</u>
9.8.Tree Trimming / Shaping: Shade Trees - Canopy spread > 10 ft. to 25 ft.	Per tree	\$ 85.00	<u>\$ 89.25</u>
9.9.Tree Trimming / Shaping: Shade Trees - Canopy spread > 25 ft.	Per tree	\$ 150.00	<u>\$ 157.50</u>
9.10.Re-stand Trees	Per tree	\$ 175.00	<u>\$ 183.75</u>
9.11.Additional Fertilization	Sq. Ft.	\$ 0.00	<u>\$ 0.00</u>
9.12.Additional Pest Control	Sq. Ft.	\$ 0.00	<u>\$ 0.00</u>
9.13.Additional Mulch - Installed	Cu. Yd.	\$ 60.00	<u>\$ 63.00</u>
9.14.Storm Debris Removal - includes hauling disposal	Cu. Yd.	\$ 35.00	<u>\$ 36.75</u>
9.15.Hedging	Linear Ft.	\$ 0.30	<u>\$ 0.32</u>
9.16.Plant Installation - three (3) crew members	Hour	\$ 90.00	<u>\$ 94.50</u>
9.17.Weed Spraying	Hour	\$ 35.00	<u>\$ 36.75</u>
9.18.Irrigation Maintenance Technician	Hour	\$ 65.00	<u>\$ 68.25</u>

Amendment 1 -10/2021 Added Fire Station 113 & Added Add'l Statutes

Amendment 2 - 08/2022 - 5% Increase through 10/31/2023

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