

**RESOLUTION NO. 2022-192**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND POTTER'S PROFESSIONAL LAWN CARE, LLC FOR LANDSCAPE MAINTENANCE SERVICES TO ALLOW FOR A FIVE (5) PERCENT PRICE INCREASE DURING THE REMAINDER OF THE INITIAL CONTRACT PERIOD; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 18, 2019, the City advertised RFP No. 09-04-19-09 for landscape maintenance services. A selection committee evaluated the submittals and recommended award to Potter's Professional Lawn Care, LLC for maintenance of the City's parks and facilities; and

**WHEREAS**, on October 24, 2019, the City Commission awarded a landscape maintenance service contract through Resolution No. 2019-257 to Potter's Professional Lawn Care, LLC for a four (4) year period beginning on October 24, 2019, through October 31, 2023; and

**WHEREAS**, Potter's Professional Lawn Care, LLC has delivered excellent service to the City since they were awarded this contract; and

**WHEREAS**, they are currently in year three (3) of a four (4) year initial term contract, which does not allow for increases based upon the Consumer Price Index (CPI); and

**WHEREAS**, on June 15, 2022, Potter's Professional Lawn Care, LLC notified the City in writing that they were experiencing a financial hardship due to the escalating cost of fuel and materials and could not afford to continue to operate without an increase; and

**WHEREAS**, they provided backup material, which supported this claim, and requested a ten (10) percent increase in the contract price; and

**WHEREAS**, in an effort to provide some assistance, City staff agreed to an increase of five (5) percent during the remainder of the initial term of the contract for the period commencing on November 1, 2022, through October 31, 2023; and

**WHEREAS**, this would result in an increase of \$27,531.24 annually.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

**Section 2:** That the City Commission has reviewed and hereby approves the attached Amendment No. 2 between the City of Coconut Creek and Potter’s Professional Lawn Care, LLC for the purpose of providing landscape maintenance services pursuant to RFP No. 09-04-19-09.

**Section 3:** That the City Manager, or designee, is hereby authorized to execute the attached Amendment No. 2 with Potter’s Professional Lawn Care, LLC for the aforementioned purpose.

**Section 4:** That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

**Section 5:** That this resolution shall be in full force and effect immediately upon its adoption.

**Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
Joshua Rydell, Mayor

Attest:

\_\_\_\_\_  
Joseph J. Kavanagh, City Clerk

Rydell \_\_\_\_\_  
Welch \_\_\_\_\_  
Tooley \_\_\_\_\_  
Railey \_\_\_\_\_  
Brodie \_\_\_\_\_