

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2926.24

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MAINGUY ENVIRONMENTAL CARE, INC.; PROVIDING FOR IMPLEMENTATION AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, effective July 1, 2014, the Town of Golden Beach (the "Town") entered into a Professional Services Agreement with Mainguy Environmental Care, Inc. ("Mainguy") (the "Agreement"); and

WHEREAS, by Resolution No. 2607.19, the Town Council approved a First Amendment to the Agreement on April 16, 2019; and

WHEREAS, by Resolution No. 2927.24, the Town Council approved a Second Amendment to the Agreement on April 26, 2022; and

WHEREAS, the Town Council wishes to further amend the Agreement by extending the term and providing for a rate increase as set forth in Exhibit "A" (the "Third Amendment") hereto attached; and

WHEREAS, individual additional services that are rendered are going to be set at a rate recommended by the Town Manager, approved by the Town Mayor, consistent with the values being paid by neighboring communities; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town to continue the services provided by Mainguy under the terms of this Third Amendment; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Approval of Amendment. The Town Council hereby authorizes and approves the Third Amendment in substantially the form attached hereto as Exhibit "A".

Section 3. Implementation. The Town Mayor is authorized to execute the Third Amendment and the Town Mayor and Town Manager are directed to take all steps reasonably necessary to implement the Third Amendment and this Resolution.


Section 4. Attorney Review. The Third Amendment is subject to review and approval of the Town Attorney, including revisions for legal sufficiency.

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

The Motion to adopt the foregoing resolution was offered by Councilmember Lusskin, seconded by Councilmember Einstein, and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida this 27th day of February, 2024.



MAYOR GLENN SINGER

ATTEST:


LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT "A"

(Attach Amendment to Agreement between the Town and Mainguy)



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: February 27, 2024

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz, *Alex B*
Town Manger

Subject: Resolution No. 2926.24 – Approving a Third Amendment to the Professional Services Agreement with Mainguy Environmental Care, Inc.

Item Number: <u>5</u>

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2926.24 as presented.

Background:

In 2022 the Town Council passed the second amendment to the contract with Mainguy Environmental Care for: landscape and irrigation maintenance, tree trimming, fertilization and pest management services. That contract amendment has expired and the Administration would like to amend the current contract to allow for an additional three (3) year agreement. In doing so, this amendment offers considerable savings to the Town.

Mainguy is presenting a schedule of values that calls for a 15% increase to their base maintenance contract in year one of the agreement, a 10% increase in year two and a 5% increase in year three, which is consistent with the values paid by neighboring communities for these services. Added into this agreement price (in Item #17 – Schedule of Values) is the maintenance of plant materials installed on the west side of S.R. A1A, which the Town has been paying for separately. We feel that a contract amendment may be in the Town's best financial interest.

A comprehensive evaluation of the firm's level of service since 2014 was reviewed, and there were no significant areas of concern. In fact, we noticed several occasions where the firm's performance was highlighted by the Town Council, residents and Administration.

Fiscal Impact:

See spreadsheet attached for the base maintenance contract schedule of values. Each Budget determines the funding levels per year and is approved during the Budget Process.

**TOWN OF GOLDEN BEACH
Landscape and Irrigation Maintenance
Bid No. 2014-01**



**AMENDMENT No. 3
to Contract dated July 1, 2014 between**

Town of Golden Beach, Florida

and

Mainguy Environmental Care, Inc.

for Landscape and Irrigation Maintenance

Contract Extension is for one (1) additional two (2) year term

April 18, 2024

**COMBINED BID
TOWN-WIDE, S.R. A1A & BEACH PAVILION**

**SCHEDULE OF VALUES
LANDSCAPE AND IRRIGATION MAINTENANCE
(Excluding Plant Material)**

Items highlighted in yellow indicate additions and/or modifications to RFP #2014-01-Schedule of Values and 1st Amendment Schedule of Values dated March 15, 2018

ITEM #	ITEM DESCRIPTION	TOTAL COST PER 12 MONTHS
1	Golden Beach Drive	\$102,980.20
2	Town Hall	\$19,590.25
3	The Strand Gatehouse and Entrance Drive from A1A to G. Beach Dr.	\$26,425.85
4	Strand Boat Dock	\$10,300.55
5	Tweddle Park/Civic Center	\$36,878.20
6	North Park	\$39,911.90
7	South Park	\$42,016.40
8	Singer Park	\$8,754.95
9	Massini Park and Massini Wall	\$22,152.45
10	Terracina Wall and Terracina Park	\$14,134.65
11	S. Island Rd, Centre Island Rd, & N. Island Rd including 8 Cul-de-sacs	\$16,098.85
12	Navona Ave., Palermo Ave., Ravenna Ave. & Verona Ave. R.O.W. including street ends/bus stops (4 total)	\$6,504.40
13	Navona Ave. Bridge Streetscape	\$4,654.05
14	The Strand Bridge Streetscape	\$5,163.50
15	Verona Ave. Bridge Streetscape	\$6,841.35
16	West Lot Parking Lot	\$6,816.05
17	S.R. A1A/Ocean Boulevard including east and west swales within R.O.W.	\$141,312.00
18	Beach Pavilion & Dunes (including north & south perimeter dunes)	\$20,855.25
19	North Parkway	\$2,288.50
20	South Parkway	\$2,288.50
BASE MAINTENANCE	SUBTOTAL	\$535,967.85



1855 SOUTH FLAMINGO ROAD | DAVIE, FL 33325
TEL (877) 741-3030 | FAX (877) 741-3454
www.mainguy.com

February 14, 2024

Alexander Diaz
Town Manager
Town of Golden Beach
One Golden Beach Drive
Golden Beach, FL 33160

Dear Mr. Diaz:

We are very grateful for the opportunity we've had to maintain the landscaping throughout Golden Beach and would very much like to continue working with you. As you know, we previously requested a 33% adjustment in our fee due to the explosive increase we've experienced in our costs. We recognize this was a very significant request and understand it is not possible at this time. Therefore, as an alternative, we would like to propose implementing the adjustment over a period of three years. That is, assuming the contract were to be extended for three years, we would respectfully request a 15% adjustment the first year, a 10% adjustment at the beginning of year two, and a 5% adjustment at the beginning of year three. This would allow us to continue operating responsibly and would also allow the Town to realize the increase over an extended period rather than immediately. Hopefully you will find this to be more reasonable and agreeable.

Please be assured that we are not planning to make any changes in the management of the account. Eddie Bingham is a very important member of our staff and someone we highly value. He will continue to direct the work at Golden Beach and has full decision-making authority in all respects. He's a valuable member of our company and is someone I've come to appreciate and respect over the many years we've worked together.

Thank you very much for your consideration.

Very truly yours,

Robert H. Mainguy