



20 N. Swinton Avenue
Delray Beach, FL 33444

Agenda Item # *9D*
September 28, 2017

~ CRA BOARD SUMMARY ~
**SECOND AMENDMENT TO LANDSCAPE MAINTENANCE AGREEMENT
w/ LV SUPERIOR LANDSCAPING, INC.**

At the August 27, 2015 CRA Board meeting, the Request for Bids (RFB) for Landscape Maintenance Services for CRA-Owned properties was awarded to LV Superior Landscaping, Inc. (LV) for \$62,496.00. On September 10, 2015, the CRA Board approved the Agreement for one (1) year with the option to renew the contract for one (1) additional one (1) year extension. The Agreement with LV was executed and effective one (1) year from October 1, 2015 to October 31, 2016. On June 23, 2016, the parties entered into a First Amendment to the Original Agreement to renew the Original Agreement for one (1) additional year to and including October 31, 2017.

An RFB for Landscape Maintenance Services was issued on August 1, 2017 and all responses were received by the September 1, 2017 deadline. Evaluation of the RFBs is nearing completion and award of the RFB is scheduled for the October 12, 2017 CRA Board meeting. Award and execution of an Agreement may not occur prior to the October 31st termination date.

Therefore, staff is recommending approval of the Second Amendment to extend the termination date up to and including November 30, 2017.

Recommended Action:

Approve the Second Amendment to the Agreement with LV Superior Landscaping, Inc., extending the landscape maintenance agreement up to and including November 30, 2017.

Submitted By: DJ Lee Property/Project Manager

Attachments: Second Amendment to the Landscape Maintenance Agreement with LV Superior Landscaping, Inc.

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**SECOND AMENDMENT TO THE AGREEMENT FOR LAWN MAINTENANCE
SERVICES BETWEEN THE DELRAY BEACH COMMUNITY REDEVELOPMENT
AGENCY
AND LV SUPERIOR LANDSCAPING, INC.**

THIS SECOND AMENDMENT TO THE AGREEMENT FOR LAWN MAINTENANCE SERVICES ("Second Amendment") is made and entered into as of the _____ day of _____, 2017, by and between the **DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**, a public agency created pursuant to Section 163, Part III, Florida Statutes, (hereinafter referred to as the "OWNER"), and LV Superior Landscaping, Inc., a Florida corporation, with a business address of 16059 Okeechobee Blvd., Loxahatchee, FL 33470 (hereinafter referred to as "CONTRACTOR").

WITNESSETH:

WHEREAS, on September 15, 2015, the OWNER and CONTRACTOR entered into an Agreement for Lawn Maintenance Services (the "Original Agreement"); and

WHEREAS, on June 23, 2016, the parties entered into a First Amendment to the Original Agreement to renew the Original Agreement for one (1) additional year up to and including October 31, 2017; and

WHEREAS, the current term is due to expire on October 31, 2017; and

WHEREAS, OWNER and CONTRACTOR desire to enter into this Second Amendment in order to extend the termination date of the Original Agreement up to and including November 30, 2017.

NOW THEREFORE, in consideration of the promises, mutual covenants, provisions and undertakings hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified as being true and correct, and incorporated herein.

SECTION 2. That pursuant to Section 1.3 of the Original Agreement, the OWNER and CONTRACTOR hereby agree to extend the termination date of the Original Agreement up to and including November 30, 2017.

SECTION 3. That except as amended herein, the OWNER and CONTRACTOR ratify, approve, and reaffirm the terms of the Original Agreement, and the Original Agreement shall remain in full force and effect, except as amended herein.

SECTION 4. In the event of any conflict or ambiguity by and between the terms and provisions of the First Amendment, this Second Amendment, and the Original Agreement, the terms and provisions of this Second Amendment shall control to the extent of any such conflict or ambiguity.

IN WITNESS WHEREOF, the parties have executed this Second Amendment to the Lawn Maintenance Services Agreement on the date first written above.

DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY

BY: _____
ANNETTE GRAY, CHAIR

ATTEST:

JEFF COSTELLO, EXECUTIVE DIRECTOR

LV SUPERIOR LANDSCAPING, INC.

ATTEST:

By: _____
Print Name: _____
Title: _____

By: _____

(SEAL)

Print Name and Title

STATE OF FLORIDA
COUNTY OF _____

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgments, personally appeared _____, as _____ authorized to do business in the State of Florida, and acknowledged executed the foregoing Agreement as the proper official of LV Superior Landscaping, Inc., for the use and purposes mentioned in it and affixed the official seal of the company, and that the instrument is the act and deed of that company. He is personally known to me or has produced _____ as identification.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal at in the State and County aforesaid on this _____ day of _____, 2018.

NOTARY PUBLIC

My Commission Expires: