

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO APPROVE A THIRD AMENDMENT TO THE AGREEMENTS BETWEEN THE CITY AND SUPERIOR LANDSCAPING & LAWN SERVICES, INC., AND BETWEEN THE CITY AND SFM SERVICES, INC., PURSUANT TO INVITATION TO BID (ITB) 2020-042-AY FOR GROUNDS MAINTENANCE SERVICES FOR RIGHT OF WAY, PARKING FACILITIES, LINCOLN ROAD MALL, LOT CLEARANCE, AND COASTAL AREAS, REVISING THE SERVICE LEVELS OF FOUR (4) EXISTING SITES, AND ADDING THREE (3) NEW SITES FOR AN ESTIMATED ANNUAL COST OF \$40,124 FOR THE ADDITIONAL SERVICES BY SUPERIOR LANDSCAPING & LAWN SERVICES, INC, AND \$6,709 FOR THE ADDITIONAL SERVICES PROVIDED BY SFM SERVICES, INC; FURTHER, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AMENDMENT.**

**WHEREAS**, on June 24, 2020, the Mayor and City Commission approved the award of Invitation to Bid (“ITB”) No. 2020-042-AY for Grounds Maintenance-Right of Way, Parking Facilities, Lincoln Road and Coastal Areas; and

**WHEREAS**, section 200, Sub-Section 16 “Binding Contract” of the ITB stipulates that the award of the ITB shall constitute a binding Contract between the City and the awarded bidder; and

**WHEREAS**, J. Fletcher Enterprises d/b/a Trimac Outdoor (“Trimac”) was awarded as primary for groups I South Beach ROW, II Middle Beach ROW, III Miami Beach Causeways, IV North Beach ROW, V Coastal Areas, VI Lincoln Road Mall, VII South RDA ROW, IX Parking Lots, secondary for group VIII City Buildings and Maintenance Facilities and tertiary for group X Lot Clearance; and

**WHEREAS**, SFM Services, Inc. (“SFM”) was awarded as primary for: Group X, Lot Clearance, Secondary for group VI, Lincoln Road Mall, and tertiary for Group I, South Beach Row, II Middle Beach Row, Group III, Miami Beach Causeways, Group VII, South RDA Row, Group VIII, City Buildings and Maintenance Facilities, Group IX Parking Lot; and

**WHEREAS**, Superior Landscaping & Lawn Services, Inc. (“Superior”) was awarded as primary for group VIII, City Buildings and Maintenance facilities, secondary for groups I South Beach Road, II Middle Beach Row, III Miami Beach Causeways, IV North Beach Row, V Coastal Areas, VII South RDA ROW, IX Parking Lots, and tertiary for group VI Lincoln Road Mall; and

**WHEREAS**, on March 2, 2021, the City and Trimac executed a Settlement Agreement and Mutual Release which mutually terminated the contract for convenience; and

**WHEREAS**, in April 2021, the City executed Amendments No. 1 with Superior and SFM to amend the contracts to require Superior and SFM to perform background checks on all of its employees at the contractor’s expense, and adjust the contract rates to account for living wage increased pursuant to Resolution No. 2020-31399; and

**WHEREAS**, on September 18, 2021, the City executed Amendments No. 2 with Superior and SFM to incorporate the "Contract Provisions for Non-Federal Entity Contracts Under Federal Award," the "Byrd Anti-Lobbying Amendment Certification," the "Suspension and Debarment Certification," and other miscellaneous federal contract provisions and requirements of the City Code and Florida Law; and

**WHEREAS**, the conditions at the Lake Neighborhood, North Beach ROW, 17 Street to 22 Street ROW, and Lincoln Road Mall have changed and now require a different level of service; and

**WHEREAS**, the City also needs to incorporate the Northeast Collins Avenue Corridor, the Holocaust Memorial, and Collins Park Garage into the contracts as these sites were not included in the original ITB; and

**WHEREAS**, Superior and SFM, the current primary contractors for these sites, have provided updated pricing to modify and incorporate these sites in the contracts for an estimated annual increase of \$40,124 for Superior and an estimated annual increase of \$6,709 for SFM; and

**WHEREAS**, the Administration has reviewed the updated pricing and determined it to be fair, reasonable, and consistent with similar sites included in the Agreements; and

**WHEREAS**, in order to maintain the City's right of ways free of debris, the Administration recommends amending these agreements to modify the levels of service of these four (4) sites and incorporate the Northeast Collins Avenue Corridor, the Holocaust Memorial, and Collins Park Garage as three (3) new sites to be serviced under the contracts.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby accept the recommendation of the City Manager to approve Amendment No. 3 to the Agreements between the City and Superior Landscaping & Lawn Services, Inc. and SFM Services, Inc., pursuant to Invitation to Bid (ITB) 2020-042-AY for Grounds Maintenance Services for Right Of Way, Parking Facilities, Lincoln Road Mall, Lot Clearance, and Coastal Areas; said Amendments revising the service levels of four (4) existing sites, and adding three (3) new sites for an estimated annual cost of \$40,124 for the additional services by Superior Landscaping & Law Services, Inc., and \$6,709 for the additional services by SFM Services, Inc.; further, approving and authorizing the City Manager and City Clerk to execute amendment.


**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**ATTEST:**

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**RAFAEL E. GRANADO, CITY CLERK**

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**DAN GELBER, MAYOR**

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney *DA*

12-1-21  
\_\_\_\_\_  
Date