

RESOLUTION NO. 21-__

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING A FOURTH AMENDMENT TO THE COMPREHENSIVE PARKS LANDSCAPE / GROUNDS MAINTENANCE SERVICES AGREEMENT WITH BRIGHTVIEW LANDSCAPING SERVICES, INC. FOR ADDITIONAL SCOPE OF SERVICES WITHIN TOWN PARKS FOR AN ANNUAL AMOUNT OF \$9,625.00; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 20, 2013, the Town of Cutler Bay (the “Town”) adopted Resolution No. 13-25, which approved an Agreement between the Town and BrightView Landscaping Services, Inc. (formerly known as Valleycrest Landscape Maintenance, Inc.) as a result of the Town’s issuance of a Request for Proposal No. 13-01 (the “RFP”) entitled Comprehensive Parks Landscape/Grounds Maintenance Services; and

WHEREAS, on February 19, 2014, the Town adopted Resolution No. 14-09, which approved Amendment No. 1 for the addition of landscape/grounds maintenance for Blue Heron Park with the same terms and conditions as defined in the RFP; and

WHEREAS, on October 19, 2016, the Town adopted Resolution No. 16-61, which approved Amendment No. 2 authorizing the name change from ValleyCrest Landscape Maintenance, Inc to BrightView Landscaping Services, Inc.; and

WHEREAS, on July 29, 2019, the Town adopted Resolution No. 19-55, which approved Amendment No. 3 authorizing the extension of the Agreement until October 2, 2024 with up to two (2) additional option years upon the same terms and conditions as the Agreement; and

WHEREAS, the Town desires to add an additional property for landscape/grounds maintenance services for the Lakes-by-the-Bay Canoe/Kayak Launch for an annual cost of \$9,625.00; and

WHEREAS, the additional landscape/grounds maintenance site (the “Additional Services”) consists of approximately a five-acre section of Lakes-by-the-Bay Park which includes additional mowing cycles, litter removal services, maintenance of walking trails, pavilions, and a floating dock; and

WHEREAS, the funds for the Additional Services will be distributed from the Parks and Recreation Department’s FY 2020-21 General Operating Budget – Other Contractual Services; and

WHEREAS, the Town Council desires to amend the Agreement in substantially the form attached hereto as Exhibit “A” to include the Additional Services (the “Fourth Amendment”); and

WHEREAS, the Town Council finds that the adoption of this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Approval. The Town approves the Fourth Amendment to the Comprehensive Parks Landscape/Grounds Maintenance Services Agreement with BrightView Landscaping Services, Inc., in the annual amount of \$9,625.00 for the Additional Services.

Section 3. Authorization. The Town Manager is hereby authorized, on behalf of the Town, to execute the Fourth Amendment to the Agreement in substantially the form attached hereto as Exhibit “A” with BrightView Landscaping Services, Inc., subject to the Town Attorney’s approval as to content, form, and legal sufficiency.

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

PASSED and ADOPTED this ____ day of January, 2021.

TIM MEERBOTT
Mayor

Attest:

DEBRA E. EASTMAN, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN
COLE & BIERMAN, P.L.
Town Attorney

Moved By: _____
Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Tim Meerbott _____

Vice Mayor Michael P. Callahan _____

Council Member Robert “BJ” Duncan _____

Council Member Suzy Lord _____

Council Member Roger Coriat _____