



Cover Memorandum/Staff Report

File #: 24-076 CRA

Agenda Date: 8/29/2024

Item #: 7F.

TO: CRA Board of Commissioners
FROM: Christine Tibbs, Assistant Director
THROUGH: Renée A. Jadusingh, Executive Director
DATE: August 29, 2024

THIRD AMENDMENT TO THE LANDSCAPE MAINTENANCE SERVICES AGREEMENT WITH SOD UNLIMITED, INC.

Recommended Action:

1. Approve the Third Amendment to the Landscape Maintenance Services Agreement and
2. Authorize the CRA Board Chair to execute the Third Amendment and any related documents, in a form acceptable to the CRA Legal Counsel.

Background:

At the July 25, 2023, CRA Board meeting, the CRA Board awarded the Landscape Maintenance Services Agreement to Sod Unlimited, Inc. (Original Agreement.)

Under the Original Agreement, the full scope of landscape maintenance services for CRA-owned and managed vacant and non-vacant properties, includes but is not limited to, mowing, trimming, edging, blowing, raking and/or sweeping, weed eradication, mulching, shrub pruning, tree, palm, and palmetto pruning, and pre - and post - work debris removal.

The Original Agreement provides that the CRA may add additional properties to be serviced by and additional services to be performed by Sod Unlimited, Inc. via a written amendment.

The First Amendment to the Original Agreement was approved on November 16, 2023, and added two additional properties to be serviced to Exhibit C of the Original Agreement, the list of CRA-owned properties that require landscape maintenance services.

The Second Amendment to the Original Agreement was approved on April 24, 2024, and added two additional properties to be serviced, and added additional trash and debris clean up services for certain CRA-owned properties to Exhibit C of the Original Agreement.

A Third Amendment to the Original Agreement is necessary at this time to amend Exhibit C of the Original Agreement, so that the list of CRA-owned properties that require landscape maintenance services and those CRA-owned properties that required additional trash and debris clean up services is complete, reflects the most up to date property descriptions and information, and does not contain duplicative property addresses. See amended Exhibit C attached as Exhibit C to this agenda item.

Additionally, under the Original Agreement, the current Termination date is October 8, 2024. The Original Agreement provides for four (4) additional one (1) year terms. At this time, the CRA and Sod Unlimited, Inc., desire to exercise the first option to renew and renew the Agreement for an additional one (1) year term, commencing on October 9, 2024, and terminating on October 8, 2025.

At this time, CRA staff is requesting the CRA Board approve the Third Amendment to the Agreement for Landscape Maintenance Services for the amendment related to updating Exhibit C, the list of CRA-owned properties that require landscape maintenance services and those certain properties that require additional trash and debris clean up services, thereby amending the total Agreement amount from \$118,860 to \$ 118,020 annually (with a monthly payment of \$9,835), and renewing the Agreement for an additional year with a new termination date of October 8, 2025.

Further, CRA staff is requesting the CRA Board authorize the CRA Board Chair to execute the Third Amendment to the Landscape Maintenance Services Agreement, and any and all related documents for the Services in a form that is acceptable to the CRA Legal Counsel.

Attachments: Exhibit A - Agreement and Amendments for Landscape Maintenance Services; Exhibit B - Third Amendment to Agreement for Landscape Maintenance Services; Exhibit C - Amended CRA-Owned Property List

CRA Attorney Review:

The CRA Legal Counsel has reviewed the Amendment for legal form and sufficiency.

Finance Review:

N/A

Funding Source/Financial Impact:

Funding has been allocated from GL#6303.

Overall need within the Community Redevelopment Area from Delray Beach CRA

Redevelopment Plan:

Removal of Slum And Blight

- Land Use
- Economic Development
- Affordable Housing
- Downtown Housing
- Infrastructure
- Recreation and Cultural Facilities