37. Approve Amendment #2 to RFP-4174-02/GMG – Approve Change of Scope of Services and Modify Compensation Clause for Trails Ground Maintenance Service Term Contract Agreement, to Vila & Son's Landscaping, Winter Garden ($19,475.00).

RFP-4174-02/GMG provides for all necessary labor, materials, equipment and incidentals required to perform trails and ground maintenance services for Seminole County.

Amendment #2 will increase the estimated annual contract amount by $19,475.00 due to the extension of the Seminole Wekiva Trailhead (Markham Road). This Amendment will also modify the compensation clause to allow the county to replace the not-to-exceed amount of the contract with the annual budgeted dollar value for those services.

Authorization for performance of services by the Contractor under this agreement shall be in the form of written Purchase Orders issued and executed by the County on an as-needed basis as long as the cumulative amount of the Purchase Orders does not exceed budgetary constraints.

Library & Leisure Services/Parks & Recreation Division and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve the amendment and authorize the Chairman to execute the proper documentation as approved and prepared by the County Attorney's Office.

SECOND AMENDMENT TO TERM CONTRACT FOR TRAILS GROUND MAINTENANCE SERVICES (RFP-4174-02/GMG)

THIS SECOND AMENDMENT is made and entered into this _____ day of _____, 20___ and is to that certain Agreement made and entered into on the 13th day of February, 2003, as amended on August 14, 2003, between **VILA & SON LANDSCAPING**, whose address is 1900 Williams Road, Winter Garden, Florida 34787, hereinafter referred to as "CONTRACTOR," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the CONTRACTOR and COUNTY entered into the above-referenced Agreement on February 13, 2003, as amended on August 14, 2003 for trails ground maintenance services; and

WHEREAS, the parties desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits it provides; and

WHEREAS, Section 21 of the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

NOW, THEREFORE, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. Section 5 of the Agreement is amended to read:

SECTION 5. COMPENSATION. The COUNTY agrees to compensate the CONTRACTOR for the professional services called for under this Agreement on a not-to-exceed basis. The total compensation paid to the CONTRACTOR pursuant to this Agreement, including reimbursable expenses, shall not exceed the annual amount budgeted by the COUNTY for this purpose.

2. Exhibit "A" of the Agreement is amended by the addition of services as indicated on Exhibit "A" attached hereto.

3. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed.

VILA & SON LANDSCAPING

_____
Witness

By:_____
CRIS FRIER, Vice-President

_____
Witness

Date:_____

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

_____
MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By:_____
CARLTON HENLEY, Chairman

Date:_____

For the use and reliance
of Seminole County only.

As authorized for execution
by the Board of County Commissioners
at their_____, 20____
regular meeting.

Approved as to form and
legal sufficiency.

_____
County Attorney
AC/lpk
11/29/04
2am-rfp-4174

VILA & SON

OCTOBER 9, 2004

TO: **Joe Gasparini**

FAX#: 407-788-7790

PAGE (S): 1

FROM: Ed Gilbert

RE: Seminole Wekiva Trailhead (Markham)

The annual price for the Seminole Wekiva Trailhead (Markham Road) will be Nineteen Thousand Four Hundred and Seventy Five Dollars ($19,475.00).This price is based on your Trails Ground Maintenance Scope of Services specifications. This price also includes edging of the sidewalks. Please let me know if you need any more information

1900 Williams Road Winter Garden, FL 34787 407/654-9415 Fax 407/654-9417

AMENDMENT REQUEST FORM

Date: 11-17-04 Requester: Joe Gasparini, Manager Extension: 407-788-0405

Master Agreement/Contract Title: Trails Ground Maintenance Svs Contract #: RFP 4174-02/GMG

Project Title: Trail Maintenance Completion Date: _____

Consultant Name: _____N/A_____ $ Amount: 19,475.00

Account # 043800 530340 CIP #: _____ Item #: _____

Scope of Services: () Attached See below Method of Compensation: (x) Fixed Fee ( ) Not to Exceed

Provide in the space below a detailed justification for this project. Please include why the project and /or services are needed and the date approved by the Board (if applicable). Also state any required deadline dates.

The annual price for the Seminole Wekiva Trailhead (Markham Road) will be $19,475.00. This Price is based on your Trails Ground Maintenance Scope of Services Specifications. This price Also includes edging of the sidewalks.

Authorized by:
Project Manager: Joe Gasparini Date: 11/17/04
Accounting Authorization: [signature] Date: 11/17/04
Department Director: [signature] Date: 11/17/04

User Department will negotiate the Work Order if only one Consultant. Purchasing Division will solicit the quotes when multiple Consultants under the Master Agreement.

FOR PURCHASING USE:

Purchasing Review for Compliance (date): [signature]

Quotes needed: (✓) Yes ( ) No

Assigned Amendment # 2

Notes:

2004 NOV 19 AM 9:45
SEMINOLE CTY. PURCHASING

VILA & SON

OCTOBER 9, 2004

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Project Manager: Joe Gasparini Date: 11/17/04

Accounting Authorization: [illegible] Date: 11/17/04

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FOR PURCHASING USE:

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Quotes needed: (✓) Yes ( ) No

Assigned Amendment # 2

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2004 NOV 19 AM 9:45
SEMINOLE CTY. PURCHASING

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