

PORT ST. LUCIE CITY COUNCIL
AGENDA ITEM REQUEST

COUNCIL ITEM 13C
DATE 10/15/12

Meeting Date: October 15, 2012

Public Hearing ___ Ordinance ___ Resolution ___ Motion X

Item: Contract #20120001 Amendment #1 - Deliver, Supply & Install Certified Mulch & Pine Straw throughout the City

Recommended Action:

- 1) Approval of Amendment #1 with Nature's Keeper, Inc. for the delivery and installation of Certified Grade A Mulch for the unit price of \$39.85 per cubic yard and the delivery of Pine Straw for the unit price of \$3.99 per bale. Contract period will be for one (1) year with no option to renew at which time OMB will rebid this work. Expenditures will be as needed as budget allows per fiscal year.

Exhibits: Department memo attached [] yes [X] no

E-Bid Tabulation Report from original bid, Amendment form, email from Vendor and termination letter to PSL Landscape Services, Inc.

Summary Explanation/Background Information: An E-Bid was issued late last year for the supply, delivery and installation of Certified Mulch and Pine Straw. The award was split between three (3) different Contractors and Council awarded the contacts on December 5, 2011. PSL Landscape Services, Inc. was awarded the contract for the delivery and installation of mulch and the delivery of pine straw. Nature's Keeper, Inc. was awarded the contract for the delivery and installation of pine straw. Sunshine Land Design was awarded the delivery of bagged mulch. After performing the city wide mulching project PSL Landscape Services, Inc. is declining to perform any more work for the price submitted in their bid. Therefore, OMB is terminating PSL Landscape Services, Inc.'s contract and recommends amending the existing contract with Nature's Keeper, Inc. to include the delivery and installation of certified mulch and the delivery of pine straw on an as needed basis. Nature's Keeper, Inc. was the next low bidder and has proven to be a reliable Contractor for the City.

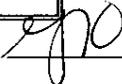
Expenditures will be as needed as budget allows per fiscal year. Purchase is budgeted in the 104/401 Fund.

Estimated Annual Expenditure: **\$200,000.00**

Department requests expenditure from the following:

Fund	104/401	Road & Bridge / Stormwater Fund
Cost Center	4127	Greenbelt Operations
Object Code	534109	Landscape
Project	00000	n/a

Deputy Director of OMB concurs with award: 

City Manager concurs with award: 

Department requests -0- minutes to make a presentation.

Submitted by: James Angstadt for Patricia Roebing

Title: Assistant City Engineer

Date Submitted **RECEIVED** 10/15/12

OCT 19 2012

CITY OF PORT ST. LUCIE CONTRACT AMENDMENT #1

Date: October 9, 2012

Contract # 20120001

Contract Title: Deliver, Supply & Install Certified Mulch and Pine Straw

Contractor's Name: Nature's Keeper, Inc.

Current Expiration: December 11, 2013

The following modifications to the terms and conditions are hereby incorporated and made a part of the Contract indicated above. All other terms and conditions of the original contract and/or Addenda are unchanged, with the exception that the City's performance and obligation to pay is contingent upon an annual appropriation by the City Council. The Contractor agrees that, in the event such appropriation is not forthcoming, the City may terminate this Contract and that no charges, penalties or other costs shall be assessed.

The following modifications are hereby incorporated and made a part of this Contract: To become effective when fully executed.

1. Include the delivery, supply and installation of certified Grade A mulch throughout the City on an as needed basis in the amount of \$39.85 per cubic yard.
2. Include the delivery of pine straw at requested locations throughout the City on an as needed basis in the amount of \$3.99 per bale.
3. Payments will be made using the City's Procurement Visa card.
4. All other terms and conditions of the original contract and/or Addenda apply.

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N WITNESS WHEREOF, the parties have executed this contract at Port St. Lucie Florida, the day and year first above written.

CITY OF PORT ST. LUCIE FLORIDA

By: _____
City Manager

ATTEST:

By: _____
City Clerk

By: _____
Authorized Representative of Nature's Keeper, Inc.

State of: _____

County of: _____

Before me personally appeared: _____
(please print)

Please check one:

Personally known _____

Produced Identification: _____
(type of identification)

Identification No. _____

known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.
(he/she)

WITNESS my hand and official seal, this _____ day of _____, 2012.

Notary Signature

Notary Public-State of _____ at Large

My Commission Expires _____.

(seal)

Robyn Holder

From: Cindy [psllandscapeinc@bellsouth.net]
Sent: Tuesday, October 09, 2012 10:16 AM
To: Robyn Holder
Subject: CITY OF PORT ST LUCIE MULCH

Importance: High

Dear Robyn,

Per our conversation we are declining to move forward on the mulch installation for the City of Port St. Lucie due to the material, fuel, truck and labor cost.

Thank you,
PSL Landscape Services, Inc.
George Kijewski
Vice President
772-879-3766 phone
772-873-2806 fax



CITY OF PORT ST. LUCIE
OFFICE OF MANAGEMENT & BUDGET
121 SW Port St. Lucie Blvd., Bldg A
Port St. Lucie, FL 34984-5099
(772) 871-5223
(772) 871-7337 Fax

David K. Pollard, Director



October 9, 2012

George Kijewski, Vice President
PSL Landscape Services, Inc.
P.O. Box 14949
Ft. Pierce, Fl. 34979

Re: Contract #20120001 Deliver, Supply & Install Certified Mulch & Pine Straw

Dear Sir:

As per Section XVII, the City is hereby issuing thirty (30) days written notice of Contract termination for failure to honor unit prices submitted in the bid for the above referenced work. Upon delivery of this notice and expiration of the thirty (30) days period, PSL Landscape Services, Inc. shall discontinue all services connected with the performance of this Contract.

If you would like to discuss this matter further, please feel free to contact me at 772-344-4293.

Sincerely,

Robyn Holder

Robyn Holder, CPPB
Contract Specialist
Office of Management and Budget

cc: John Dunton, Project Manager - Public Works
James Angstadt, Assistant Director - Public Works

E-BID TABULATION REPORT
E-BID #20120001

CITY OF PORT ST. LUCIE
DELIVER, SUPPLY & INSTALL CERTIFIED MULCH AND PINE STRAW
OPENED: NOVEMBER 22, 2011 @ 3:00 PM

Line Item	Description	Unit of Measure	Quantity	PSL Landscape Services		Sunshine Land Design		Natures Keeper, Inc.	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Certified Grade "A" Red Mulch, delivered and installed	CU. YDS.	3,000	\$ 32.00	\$ 96,000.00	\$ 50.30	\$ 150,900.00	\$ 39.85	\$ 119,550.00
	TOTAL AMOUNT				\$ 96,000.00		\$ 150,900.00		\$ 119,550.00
2	Pine Straw, delivered and installed	Bales	1,000	\$ 5.75	\$ 5,750.00	\$ 7.99	\$ 7,990.00	\$ 5.15	\$ 5,150.00
	TOTAL AMOUNT				\$ 5,750.00		\$ 7,990.00		\$ 5,150.00
3	Certified Grade "A" Red Mulch, delivered only	CU. FT.	160	\$ 17.50	\$ 2,800.00	\$ 1.01	\$ 161.60	\$ 1.15	\$ 184.00
	TOTAL AMOUNT				\$ 2,800.00		\$ 161.60		\$ 184.00
4	Pine Straw, delivered only	Bale	1	\$ 3.85	\$ 3.85	\$ 4.91	\$ 4.91	\$ 3.99	\$ 3.99
	TOTAL AMOUNT				\$ 3.85		\$ 4.91		\$ 3.99

1	Acknowledge all Addenda.	Yes	Yes	Yes	Yes	Yes
2	\$500.00 Bid Bond received in 3 days.	Yes	Yes	Yes	Yes	Yes
3	Copy of current insurance.	Yes	Yes	Yes	Yes	Yes
4	Review & accept all City terms & conditions.	Yes	Yes	Yes	Yes	Yes
5	Submitted all licenses required to perform the work.	Yes	Yes	Yes	Yes	Yes
6	Number of calendar days required for delivery & installation.	10 days	10 days	10 days	10 days	3 days
7	Number of calendar days required for delivery.	7 days	7 days	5 days	5 days	3 days
8	Submitted 5 Reference Check forms.	Yes	Yes	Yes	Yes	Yes
9	Accepts Visa.	Yes	Yes	Yes	Yes	Yes
10	Discount offered when using Visa.	0%	0%	0%	0%	0%
11	Submitted W-9 form.	Yes	Yes	Yes	Yes	Yes
12	Submitted Non-Collusion form & Drug Free Form.	Yes	Yes	Yes	Yes	Yes