

REQUEST FOR BUDGET AMENDMENT

Fiscal Year 2023

Department: Parks and Recreation

Division: Parks & Grounds

Date: 1/9/2023

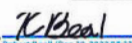

CHANGES IN REVENUES

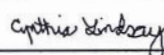
| REVENUE ACCOUNT NUMBER | | | | | | Current Budget | Current Unrealized (Budget) | Amount of Change | Adjusted Unrealized |
|----------------------------------|---------|--------|-----|-----------|-----------------------|----------------|-----------------------------|-------------------|---------------------|
| Fund | Revenue | Act Cd | Ele | Project # | Revenue Account Title | | | | |
| 001 | 0000 | 389 | 98 | 00 | Use of Reserves | \$ - | \$ - | \$ 123,073 | \$ 123,073 |
| | | | | | | | | | - |
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| | | | | | | | | | - |
| TOTAL CHANGES IN REVENUES | | | | | | | | \$ 123,073 | |

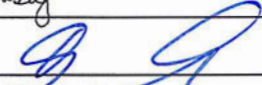
CHANGES IN EXPENDITURES

| EXPENDITURE ACCOUNT NUMBER | | | | | | Current Budget | Current Balance | Amount of Change | Remaining Balance |
|--------------------------------------|---------|----------|-----|-----|-----------|---------------------------|-----------------|-------------------|-------------------|
| Fund | Dpt/Div | Activity | Obj | Ele | Project # | Expenditure Account Title | | | |
| 001 | 5508 | 572 | 46 | 00 | | Repair & Maintenance | | \$ (5,839) | \$ 117,234 |
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| TOTAL CHANGES IN EXPENDITURES | | | | | | | | \$ 123,073 | |

REASON FOR AMENDMENT: Annual Landscape Services

DIRECTOR APPROVAL:  Dec 20, 2022  DATE: Dec 20, 2022

FINANCE APPROVAL:  DATE: 12/20/22

CITY MANAGER APPROVAL:  DATE: 1/4/2023

CITY COMMISSION AGENDA DATE: 1.9.2023 APPROVED? Y

FOR FINANCE USE

Entry Date: 01/11/2023 Batch Number: B# 1357 Document #: BA 03-106
 S. Posey Res# 3102
 CCM# 23-007

Resolution No. 2023-3102

A Resolution of the City of Sanford, Florida, amending the City's annual operating budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 for the purchase of landscape services from Brightview Landscaping Services, Inc.; providing for implementing administrative actions; providing for a savings provision; providing for conflicts; providing for severability and providing for an effective date.

Whereas, the Commission of the City of Sanford, Florida has adopted an annual operating budget for the fiscal year beginning October 1, 2022 and terminating on September 30, 2023 specifying certain projected revenues and expenditures for the operations of Sanford municipal government; and

Whereas, the City's budget presumes that each department generally will, to the best of their ability, maintain its expenditures within its allocated budgeted level and exercise prudence in expending funds during the course of the City's fiscal year; and

Whereas, from time-to-time circumstances and events may require that the original City budget may need revision such as for the purchase of landscape services for the City of Sanford from Brightview Landscaping Services, Inc. which services are required as a result of the termination of the City's contract with Southern Sunshine Group, Inc.; and

Whereas, the City Commission, in its judgment and discretion, has the authority to adjust the budget to more closely coincide with actual and expected events.

Now, therefore, be it adopted and resolved by the City Commission of the City of Sanford, Florida as follows:

Section 1. Adoption of Budget Amendment; Brightview Landscaping Services, Inc.

The annual operating budget of the City of Sanford for the fiscal year beginning October 1, 2022 and terminating on September 30, 2023 is hereby revised and amended by Attachment "A" that relates to the purchase of landscape services from Brightview Landscaping Services, Inc. which services are required as a result of the termination of the City's contract with Southern Sunshine Group, Inc. The Attachment is hereby incorporated into this Resolution as if fully set forth herein verbatim. Except as amended herein, the annual operating budget for the City of Sanford for fiscal year beginning October 1, 2022 and terminating on September 30, 2023 shall remain in full force and effect.

Section 2. Implementing administrative actions.

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Resolution by means of such administrative actions as may be deemed necessary and appropriate in order to procure the purchase of landscape services from Brightview Landscaping Services, Inc. including, but not limited to, coordination with the City Attorney in order to terminate the City's contract with Southern Sunshine Group, Inc.

Section 3. Savings.

The prior actions of the City of Sanford relating to the adoption of the City budget and related activities are hereby ratified and affirmed.

Section 4. Conflicts.

All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

Section 5. Severability.

If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 6. Effective Date.

This Resolution shall become effective immediately upon enactment.

Passed and adopted this 9th day of January, 2023.

Attest:

City Commission of the City of Sanford

Traci Houchin

Traci Houchin, MMC, FCRM
City Clerk

Art Woodruff

Art Woodruff
Mayor



For use and reliance of the Sanford City Commission only.
Approved as to form and legality.

William Colbert

William Colbert, City Attorney

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ACA



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|----------|----------|----|----------|
| WS | <u>X</u> | RM | <u>X</u> |
| Item No. | 8.D | | |

**CITY COMMISSION MEMORANDUM 23-007
JANUARY 9, 2023 AGENDA**

TO: Honorable Mayor and Members of the City Commission
PREPARED BY: Robert Beall, Operations Manager
SUBMITTED BY: Norton N. Bonaparte, Jr., ICMA-CM, City Manager
SUBJECT: Budget Amendment Resolution No. 2023-3102; Procurement of Services from Brightview Landscape Service, Inc.; Terminate Contract with Southern Sunshine Group, Inc.

STRATEGIC PRIORITIES:

- Unify Downtown & the Waterfront
- Promote the City's Distinct Culture
- Update Regulatory Framework
- Redevelop and Revitalize Disadvantaged Communities

SYNOPSIS:

Approval to terminate the service contract with Southern Sunshine Group, Inc., approval of Resolution No. 2023-3102 amending the City budget and the approval to procure the services of Brightview Landscape Service, Inc. are requested.

FISCAL/STAFFING STATEMENT:

Funds in the amount of \$123,073. are requested and are available in the General Reserve Fund. This would be a recurring increase to the annual budget for this service. The remaining funds would be from the Parks Repair and Maintenance Fund.

BACKGROUND:

Southern Sunshine Group, Inc. has been under contract for landscape services with the City since December 4, 2019. Southern Sunshine Group, Inc. is to provide landscape services to 22 parks sites, 18 traffic medians and trails, the Sanford SunRail Station, the Sanford Municipal Cemetery and Riverwalk Phase II and III. These services are secured through a competitively bid procurement per IFB 19/20-05 and IFB 20/21-39.

For the past year, Southern Sunshine Group, Inc. has not fulfilled all of its contractual duties in maintaining the landscapes as required in its contract with the City. This failure to perform has been detrimental to the efforts of the City to well serve its citizens. It has failed to keep schedules for maintenance, has been deficient in detail work with regard to its landscaping obligations and multiple complaints from the public and other governmental institutions have been directed against it as a result of the deficient appearance and maintenance of the properties under its responsibility and relative to which it has contractual obligations. It has become evident that its lack of staff and experience of personnel has caused a significant amount of damage alone along Riverwalk

resulting from over spraying weed killer in the landscape beds. There are other matters that could be more fully discussed, but it is clear that it has failed to perform its contractual obligations to the City in accordance with the contract's scope of services.

Parks staff has made several attempts to resolve the issues with Southern Sunshine Group, Inc., the response has been uncooperative, there has been a lack of communication indicating a satisfactory expression of intention to correct the many issues noted and there is a consistent failure in completing the work as required under the contract.

Staff has looked at two other companies as possibilities for engaging in piggyback contracts to address the immediate needs of the City, Aero GroundTek, LLC and Brightview Landscape Services, Inc. Both of those companies are larger firms than Southern Sunshine Group, Inc. and have the capacity to hire employees as needed to complete the work per contract requirements. Parks staff also look at whether the City could complete the landscape work needed utilizing its own workforce and determined that doing so would result in the need for at least two new work crews to include a lead maintenance worker and three maintenance workers for each crew. Due to the increased annual cost that the City providing services would incur, the Parks and Recreation Department is recommending to contract with Brightview Landscape Service, Inc. Attached is a chart of the expenditures needed annually to continue to provide the required services.

| Vendor | Southern Sunshine | Aero GroundTek | Brightview | 2 New Parks Crews |
|--|-------------------|----------------|------------|--|
| City Parks costs. | \$64,846 | \$527,028 | \$196,627 | \$437,724 (2 – new 4 worker crews, 2 lead maintenance workers, 6 maintenance workers) includes insurance and overhead annually (will need to increase annually, pay raises) \$94,498 2 crew trucks (new purchase) 96 Toro Diesel existing 104 Hustler Gas existing \$48,000 for 4 72" mowers (new purchase). \$6,000 Weed-eaters, Edgers, Hedge |
| Traffic medians and rights of way costs. | \$43,323 | \$96,980 | \$25,830 | |
| SunRail costs, | \$23,526 | \$39,525 | \$19,008 | |
| Cemetery costs, | \$48,527 | \$198,380 | \$75,240 | |
| Riverwalk III costs, | \$115,023 | \$241,980 | \$101,685 | |
| | | | | |

| | | | | |
|---------------------|------------------|--------------------|------------------|---|
| | | | | Trimmers, Backpack Blowers (one time buy) \$8,000 for uniforms, boots, safety gear (one time buy) annually |
| Total costs. | \$295,245 | \$1,103,893 | \$418,390 | \$594,222 |

The services of Brightview Landscape Service, Inc. can be procured by means of piggybacking Seminole County contract IFB 603397-19/LTR through # PBA 22/23-217. The piggyback process is a program of cooperative bidding which may be used by public bodies, public entities and political subdivisions throughout the State, and it satisfies all purchasing requirements applicable to the City. This process results in the procurement of goods and services at highly competitive pricing without the expenditure of City funds that would otherwise be directed by means of the highly time-intensive procurement processes and procedures that are necessitated by competitive bidding, etc.

The adoption of a budget amendment resolution and authorization to procure services are requested. The services will be procured in accordance with the City’s Purchasing Policies and Procedures.

LEGAL REVIEW:

The City Attorney’s office has reviewed and has no legal objection to the action. The Southern Sunshine Group, Inc. contract will need to be terminated in accordance with its terms and conditions with a notice of termination letter being issued in a manner to protect the City. The City’s purchasing of services by means of the piggyback contract process is normative and a very cost-efficient means to procure services while benefiting from the competitive procurement process implemented by another agency of government or collective purchasing program. The budget amendment resolution is an legally acceptable form and has been tailored to address the particular action being taken.

RECOMMENDATION:

City staff recommends that the City Commission approve termination of the contract with Southern Sunshine Group, Inc., approval of Resolution No. 2023-3102, to amend the budget in the amount of \$123,023, and approval to authorize annual procurement of services from Brightview Landscape Services, Inc. in an amount not to exceed \$418,390.

SUGGESTED MOTION:

“I move to approve the termination of the contract with Southern Sunshine Group, Inc., approve Resolution No. 2023-3102 to amend the budget as proposed and approve the proposed procurement of services from Brightview Landscape Services, Inc. as proposed.”

- Attachments: (1). Budget Amendment Resolution No. 2023-3102.
(2). Piggyback Contract (PBA # 22/23-217).
(3). IFB 603397-19/LTR.
(4). Brightview proposal.

GROUP NUMBER . : 01357 PARKS-LANDSCAPE SERVICES
GROUP USER . . : POSEYS Posey, Shanna - Executive

| TRANS NO | TRANS DATE | DOCUMENT | ACCOUNT NUMBER | DESCRIPTION 1 | PROJECT | BUDGET AMOUNT | ORIG (Y/N) |
|-------------------------|------------|-----------|--------------------|--------------------------|---------|---------------|------------|
| DESCRIPTION 2 | | TYPE | | | | | |
| 0000100 | 12/20/2022 | BA 03-106 | 001-0000-389.98-00 | PARKS-LANDSCAPE SERVICES | | 123,073.00 | |
| RES# 3102 / CCM# 23-007 | | | | | | | |
| 0000200 | 12/20/2022 | BA 03-106 | 001-5508-572.46-00 | PARKS-LANDSCAPE SERVICES | | 123,073.00 | |
| RES# 3102 / CCM# 23-007 | | | | | | | |

TOTALS:

| AMOUNT CALCULATED | AMOUNT ENTERED | DIFFERENCE |
|--------------------|--------------------|------------|
| COUNT: 2 | COUNT: 2 | |
| AMOUNT: 246,146.00 | AMOUNT: 246,146.00 | |

Peter J.
Staffieri

Digitally signed by Peter J. Staffieri
DN: cn=Peter J. Staffieri,
o=City of Sanford,
ou=Finance Department,
email=peter.staffieri@sanfordfl.gov, c=US
Date: 2023.01.12 17:49:40 -05'00'