


CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MEMORANDUM

TO: CFX Board Members

FROM: Aneth Williams 
Director of Procurement

DATE: July 14, 2017

SUBJECT: Approval of Contract Renewal with
Southern Aquatic Management, Inc. for Aquatic Vegetation control
Contract No. 001003


Board approval is requested for the fourth renewal of the referenced contract with Southern Aquatic Management, Inc., in the amount of \$209,720.00 for a one year period beginning October 7, 2017 and ending on October 6, 2018. The original contract was one year with four one-year renewals.

Original Contract Amount	\$148,520.00
First Renewal	\$148,520.00
Supplemental Agreement	\$ 0.00
Second Renewal	\$209,719.47
Third Renewal	\$209,720.00
Fourth Renewal	<u>\$209,720.00</u>
Total	<u>\$926,199.47</u>

The services to be provided by Southern Aquatic Management, Inc. under this renewal include application of aquatic herbicide to control the growth of all emergent and floating aquatic and wetland vegetation within the ponds along S.R. 408, S.R. 417, S.R. 528, S.R. 429, and S.R. 414.

This contract is budgeted for in the OM&A Budget.

Reviewed by:


Joseph A. Berenis, P.E.
Chief of Infrastructure

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
CONTRACT RENEWAL AGREEMENT No. 4
CONTRACT NO. 001003

THIS CONTRACT RENEWAL AGREEMENT (the "Renewal Agreement"), made and entered into this 13th day of July, 2017, by and between the Central Florida Expressway Authority, hereinafter called "CFX" and Southern aquatic Management, Inc., herein after called the "Contractor."

WITNESSETH

WHEREAS, CFX and the Contractor entered into a Contract Agreement (the "Original Agreement") dated October 3, 2013, with a Notice to Proceed date of October 7, 2013, whereby CFX retained the Contractor to perform aquatic vegetation control; and

WHEREAS, pursuant to Article 5.5 of the General Specifications for the Original Agreement, CFX and Contractor wish to enter into the fourth renewal the Original Agreement for a period of one (1) year;

NOW, THEREFORE, for and in consideration of the mutual benefits to flow each to the other, CFX and Contractor agree to a fourth renewal of said Original Agreement beginning the 7th day of October, 2017 and ending the 6th day of October, 2018 at the cost of \$209,720.00, which amount restates the amount of the Original Agreement.

Contractor states that, upon its receipt and acceptance of Final Payment for Services renders under the third Contract renewal ending October 6, 2017, the Contractor shall execute a "Certificate of Completion of the first Contract Renewal and Acceptance of Final Payment" that waives all future right of claim for additional compensation for services rendered under the third renewal of the Contract ending October 6, 2017.

All terms and conditions of said Original Agreement and any supplements and amendments thereto shall remain in full force and effect during the full term of this Renewal Agreement.

IN WITNESS WHEREOF, the parties have executed this Renewal Agreement by their duly authorized officers on the day, month and year set forth above.

CONTRACTOR

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

BY: _____
Authorized Signature

BY: _____
Director of Procurement

Title: _____

ATTEST: _____ (SEAL)
Secretary or Notary

If Individual, furnish two witness:

Witness (1) _____

Witness (2) _____

Legal Approval as to Form

General Counsel for CFX

**CENTRAL FLORIDA EXPRESSWAY AUTHORITY
CONTRACT RENEWAL AGREEMENT
CONTRACT NO. 001003**

10 SEP 2016 10:41 AM

THIS CONTRACT RENEWAL AGREEMENT (the "Renewal Agreement"), made and entered into this 11th day of August, 2016, by and between the Central Florida Expressway Authority, hereinafter called "CFX" and Southern aquatic Management, Inc., herein after called the "Contractor."

WITNESSETH

WHEREAS, CFX and the Contractor entered into a Contract Agreement (the "Original Agreement") dated October 3, 2013, with a Notice to Proceed date of October 7, 2013, whereby CFX retained the Contractor to perform aquatic vegetation control; and

WHEREAS, pursuant to Article 5.5 of the General Specifications for the Original Agreement, CFX and Contractor wish to enter into the third renewal the Original Agreement for a period of one (1) year;

NOW, THEREFORE, for and in consideration of the mutual benefits to flow each to the other, CFX and Contractor agree to a third renewal of said Original Agreement beginning the 7th day of October, 2016 and ending the 6th day of October, 2017 at the cost of \$209,720.00, which amount restates the amount of the Original Agreement.

Contractor states that, upon its receipt and acceptance of Final Payment for Services renders under the second Contract renewal ending October 6, 2016, the Contractor shall execute a "Certificate of Completion of the first Contract Renewal and Acceptance of Final Payment" that waives all future right of claim for additional compensation for services rendered under the second renewal of the Contract ending October 6, 2016.

All terms and conditions of said Original Agreement and any supplements and amendments thereto shall remain in full force and effect during the full term of this Renewal Agreement.

IN WITNESS WHEREOF, the parties have executed this Renewal Agreement by their duly authorized officers on the day, month and year set forth above.

CONTRACTOR

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

BY: 
Authorized Signature

BY: 
Director of Procurement

Title: PRESIDENT

ATTEST: _____ (SEAL)
Secretary or Notary

If Individual, furnish two witness:

Witness (1) 
Witness (2) 

Legal Approval as to Form


General Counsel for CFX

Central Florida Expressway Authority
CONTRACT RENEWAL AGREEMENT
CONTRACT NO. 001003

21 SEP '15 PM 12:13

THIS CONTRACT RENEWAL AGREEMENT (the "Renewal Agreement"), made and entered into this 10th day of September, 2015, by and between the Central Florida Expressway Authority, hereinafter called "Authority" and Southern Aquatic Management, Inc., hereinafter called the "Contractor".

WITNESSETH

WHEREAS, the Authority and the Contractor entered into a Contract Agreement (the "Original Agreement") dated October 3, 2013, with a Notice to Proceed date of October 7, 2013, whereby the Authority retained the Contractor to perform aquatic vegetation control; and

WHEREAS, pursuant to Article 5.5 of the General Specifications for the Original Agreement, Authority and Contractor wish to enter into the second renewal of the Original Agreement.

NOW, THEREFORE, for and in consideration of the mutual benefits to flow each to the other, the Authority and Contractor agree to a second renewal of said Original Agreement beginning the 7th day of October, 2015, and ending the 6th day of October, 2016, at the cost of \$209,719.47, which amount restates the amount of the Original Agreement.

Contractor states that, upon its receipt and acceptance of Final Payment for Services rendered under the First Renewal Agreement ending October 6, 2015, the Contractor shall execute a 'Certificate of Completion of the First Renewal Agreement and Acceptance of Final Payment' that waives all future right of claim for additional compensation for services rendered under the First Renewal of the Contract ending October 6, 2015.

All terms and conditions of said Original Agreement and any supplements and amendments thereto shall remain in full force and effect during the full term of this Renewal Agreement except as modified by the attached Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Renewal Agreement by their duly authorized officers on the day, month and year set forth above.

SOUTHERN AQUATIC MANAGEMENT, INC.

BY: [Signature]
Authorized Signature

Print Name: AARON CHURCH

Title: PRESIDENT

Witness (1) [Signature]

Witness (2) [Signature]

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

BY: [Signature]
Director of Procurement

LEGAL APPROVAL: [Signature]
AS TO FORM General Counsel for the Authority

RECEIVED
CONTRACTS DEPT
[Signature] 9/21/15
SIGNATURE / DATE

CENTRAL FLORIDA EXPRESSWAY AUTHORITY
SUPPLEMENTAL AGREEMENT NO. 1

Contract Name: Aquatic Vegetation Control

28 AUG '15 AM 11:01

Contract No: 001003

This Supplemental Agreement No. 1 entered into this 17th day of August, 2015, by and between the CENTRAL FLORIDA EXPRESSWAY AUTHORITY (the "Authority"), and SOUTHERN AQUATIC MANAGEMENT, INC. (the "Contractor") the same being supplementary to the Contract between the aforesaid, dated October 3, 2013, for services pertaining to maintenance of retention ponds at various location along the Authority's system, (the Contract").

1. The Authority wishes to amend the language in paragraph 5.5, Renewal Option, in the General Specifications by deleting the second sentence of the paragraph in its entirety and inserting the following new language in it is place:

"Renewals will be on an annual basis not to exceed four (4) one year renewals, subject to the same unit bid prices and associated quantities as well as all other terms and conditions set forth in the original Contract."
2. The Contractor hereby agrees to the amended language with no increase in the Contract amount or Contract term.
3. The Authority and Contractor agree that this Supplemental Agreement No.1 shall not alter or change in any manner the force and effect of the Contract including any previous amendments thereto, except insofar as the same is altered and amended by this Supplemental Agreement No.1; that acceptance of this Supplemental Agreement No.1 signifies the Contractor's complete and total claim for the terms and conditions of the same and that the Contractor waives all future right for additional compensation which is not already defined herein.
4. This Supplemental Agreement No. 1 is necessary to amend the language related to the Contract renewal options.

SUPPLEMENTAL AGREEMENT NO. 1

Contract Name: Aquatic Vegetation Control

Contract No.: 001003

28 AUG '15 AM 11:01

Amount of Changes to this document: \$0.00

This Supplemental Agreement No.1 entered into as of the day and year first written above.

"Authority":

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

By: *Paul Kull*
Director of Procurement

Date: 8/28/15

"Contractor":

SOUTHERN AQUATIC MANAGEMENT, INC.

By: *A. Mel, ARRON CHURCH*

Title: PRESIDENT

Attest: *Wendy McLane*

Date: 8/24/15



RECEIVED
CONTRACTS DEPT
WMS 8/28/15
SIGNATURE / DATE

10 SEP '14 AM 11:22

Central Florida Expressway Authority
CONTRACT RENEWAL AGREEMENT
CONTRACT NO. 001003

THIS CONTRACT RENEWAL AGREEMENT (the "Renewal Agreement"), made and entered into this 14th day of August, 2014, by and between the Central Florida Expressway Authority, hereinafter called "Authority" and Southern Aquatic Management, Inc., hereinafter called the "Contractor".

WITNESSETH

WHEREAS, the Authority and the Contractor entered into a Contract Agreement (the "Original Agreement") dated October 3, 2013, with a Notice to Proceed date of October 7, 2013, whereby the Authority retained the Contractor to perform aquatic vegetation control; and

WHEREAS, pursuant to Article 5.5 of the General Specifications for the Original Agreement, Authority and Contractor wish to enter into the first renewal of the Original Agreement.

NOW, THEREFORE, for and in consideration of the mutual benefits to flow each to the other, the Authority and Contractor agree to a first renewal of said Original Agreement beginning the 7th day of October, 2014, and ending the 6th day of October, 2015, at the cost of \$148,520.00, which amount restates the amount of the Original Agreement.

Contractor states that, upon its receipt and acceptance of Final Payment for Services rendered under the Original Agreement ending October 6, 2014, the Contractor shall execute a 'Certificate of Completion of the Original Agreement and Acceptance of Final Payment' that waives all future right of claim for additional compensation for services rendered under the Original Contract ending October 6, 2014.

All terms and conditions of said Original Agreement and any supplements and amendments thereto shall remain in full force and effect during the full term of this Renewal Agreement.

IN WITNESS WHEREOF, the parties have executed this Renewal Agreement by their duly authorized officers on the day, month and year set forth above.

SOUTHERN AQUATIC MANAGEMENT, INC.

BY: [Signature]
Authorized Signature

Print Name: ARON CHURCH

Title: President

Witness (1) [Signature]

Witness (2) [Signature]

CENTRAL FLORIDA EXPRESSWAY AUTHORITY

BY: [Signature]
Director of Procurement

LEGAL APPROVAL: [Signature]
AS TO FORM General Counsel for the Authority

RECEIVED
CONTRACTS DEPT
090 9/15/14

SIGNATURE / DATE

CONTRACT

**ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
AND
SOUTHERN AQUATIC MANAGEMENT, INC.**

AQUATIC VEGETATION CONTROL

**CONTRACT NO. 000938
CONTRACT DATE: OCTOBER 3, 2013
CONTRACT AMOUNT: \$148,520.00**



**ORLANDO-ORANGE COUNTY
EXPRESSWAY AUTHORITY**

**CONTRACT, GENERAL SPECIFICATIONS, SCOPE OF
SERVICES, ADDENDA, PROPOSAL AND FORMS**

**CONTRACT, GENERAL SPECIFICATIONS, SCOPE OF SERVICES, ADDENDA,
PROPOSAL AND FORMS**

**FOR
AQUATIC VEGETATION CONTROL
CONTRACT NO. 000938**

October 2013

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY

Members of the Board

**Walter A. Ketcham, Jr., Chairman
R. Scott Batterson, P.E., Vice Chairman
Teresa Jacobs, Secretary/Treasurer
Noranne B. Downs, P.E., Ex-Officio Member
Marco Peña, Board Member**

Executive Director

Max Crumit, P.E.

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CONTRACT

This Contract No. 000938 (the "Contract"), made this 3rd day of October, 2013, between the ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY, hereinafter called the AUTHORITY and SOUTHERN AQUATIC MANAGEMENT, INC., 1980 Dolgner Place, Suite 1048, Sanford, Florida 32771, hereinafter the CONTRACTOR:

WITNESSETH: The CONTRACTOR shall, for the consideration herein mentioned and at its cost and expense, do all the work and furnish all the materials, equipment, supplies and labor necessary to perform this Contract in the manner and to the full extent as set forth in the Contract Documents all of which are hereby adopted and made part of this Contract as completely as if incorporated herein. The Contract shall be performed to the satisfaction of the duly authorized representatives of the AUTHORITY, who shall have at all times full opportunity to inspect the materials furnished and the work done under this Contract.

The work to be done under this Contract includes maintenance of all items associated with Contract No. 000938, for Aquatic Vegetation Control, as detailed in the Contract Documents and any addenda or modifications thereto. The Contract time will be 365 calendar days with renewal options. The Contract Amount is \$148,520.00. This Contract was awarded by the Authority's Board of Directors at its meeting on October 3, 2013.

The Contract Documents consist of:

1. The Contract,
2. The Addenda, modifying the Scope of Services, General Specifications or other Contract Documents,
3. The Scope of Services,
4. The General Specifications,
5. The applicable sections of the FDOT Design Standards, January 2012 edition, as may be amended or supplemented, and
6. The Proposal.

In consideration of the foregoing premises, the AUTHORITY agrees to pay the CONTRACTOR for work performed and materials furnished at the unit and lump sum prices, and under the conditions set forth, in the Proposal.

IN WITNESS WHEREOF, the authorized signatures named below have executed this Contract on behalf of the parties on the date set forth below.

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY

By: 
Director of Procurement

DATE: 10/4/13

SOUTHERN AQUATIC MANAGEMENT, INC.

By: 

Print Name: AARON CHURCH

PRESIDENT
Title

ATTEST:  (Seal)

DATE: 9/12/15

Approved as to form and execution, only.

General Counsel for the AUTHORITY

