

**FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF DORAL, FLORIDA
AND
SFM SERVICES, INC. (SFM)
ITB 2020-09 Street Sweeping Services**

SFM Services, Inc.

This First Amendment to ~~United States Service Industries, Inc. (USSI)~~ Professional Services Agreement (PSA) made and entered into this 6 day of June ~~2022~~, by and between the City of Doral, Florida, a municipal corporation of the State of Florida ("City") and SFM Services, Inc.. ("Provider") having its place of business at 9700 NW 79th Avenue, Hialeah Gardens, FL 33016, for the provision of Street Sweeping Services.

WHEREAS, ITB 2020-09 was issued on April 21 for the purpose of providing Street Sweeping Services along the public right-of-way; and

WHEREAS, SFM Services Inc (SFM) was deemed the lowest most responsive and responsible bidder; and

WHEREAS, the Mayor and the City Councilmembers authorized the City Manager via Resolution No. 20-140 to enter into a Professional Services Agreement with SFM for the provision of street sweeping services for an initial period of two (2) years with an option to renew for three (3) one (1) year periods; and

WHEREAS, on November 3, 2020, Florida voters passed Amendment 2 to section 24 of Article X of the Florida Constitution with a supermajority (60.8%) of the vote; and

WHEREAS, Florida Minimum Wage Amendment 2 is an initiated constitutional amendment to change the Florida constitution; and

WHEREAS, the amendment requires the minimum wage to increase on September 30, 2021 to \$10.00 per hour from \$8.65 per hour; and It will increase by \$1.00 on September 30th annually until 2026 when it reaches \$15.00 per hour; and

WHEREAS, on June 8, 2022, the Mayor and the City Councilmember authorized via Resolution No. 22-98 the increase in unit prices, and the annual cost increase for all subsequent years as a result of the Floridan minimum wage increase and fuel cost increases.

NOW THEREFORE, in consideration of the mutual covenants set forth in this First Amendment, the parties agree as follows:

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Amendments. The following Sections of the Professional Services Agreement are hereby amended to read as follows:

“Pricing Sheet”

Item	Description	Unit	Qty.
1	Linear miles of curb lane	Miles	6,897
2	Linear miles of non-curb lanes	Miles	1,438

FY 21-22	
Unit Price	Cost
\$ 20.55	\$ 141,733.76
\$ 19.75	\$ 28,392.80

FY 22-23	
Unit Price	Cost
\$ 23.28	\$ 160,562.63
\$ 22.37	\$ 32,159.34

FY 23-24	
Unit Price	Cost
\$ 25.96	\$ 179,046.64
\$ 24.94	\$ 35,853.99

FY 24-25	
Unit Price	Cost
\$ 28.67	\$ 197,737.56
\$ 24.71	\$ 35,523.34

EXCEPT AS PROVIDED HEREIN, all other terms and conditions of the PSA dated August 28, 2020, will remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment on the day and date first above written, in three (3) counterparts, each of which shall, without proof or accounting for the other counterpart be deemed an original.

WITNESSES:

Typed Name:

PASCAL LOPES

PROVIDER: SFM

By: Christian Infante

Name: Christian Infante

Title: President

ATTEST:

For Connie Diaz, Deputy City Clerk
City Clerk

CITY OF DORAL

By: Hernan M. Organvidez
Hernan M. Organvidez
Acting City Manager

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL:

By:

Name: Luis Figueredo, ESQ.

Title: City Attorney

Signature: Christian Infante
Christian Infante (Jul 5, 2022 10:31 EDT)

Email: cinfante@sfmtservices.com

RESOLUTION No. 22-98

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO THE CONTRACT WITH SFM SERVICES, INC. FOR STREET SWEEPING SERVICES UNDER #2020-09, TO INCREASE THE ANNUAL TOTAL COST FOR ALL SUBSEQUENT YEARS AS A RESULT OF THE FLORIDA MINIMUM WAGE INCREASE AND FUEL COST INCREASE, IN AN AMOUNT NOT TO EXCEED ANNUAL BUDGETED FUNDS; AUTHORIZING THE CITY MANAGER TO EXPEND BUDGETED FUNDS IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, as The City of Doral is a participant of the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit as a co-permittee under the Miami-Dade County's regional MS4 Permit; and

WHEREAS, the MS4 Permit allows the City of Doral to discharge stormwater runoff into the City's stormwater infrastructure and into the waters of the State; and

WHEREAS, the MS4 Permit requires all municipalities to implement numerous best management practices (BMPs) to prevent water pollution from stormwater runoff; and

WHEREAS, Part III.A.3 of the MS4 Permit requires the city to implement a street sweeping program which is the most cost-effective BMP that reduces pollutants from stormwater runoff; and

WHEREAS, ITB 2020-09 was issued on April 21, 2020, for the purpose of obtaining a contractor to perform street sweeping services within the City of Doral right-of-way; and

WHEREAS, thirteen (13) firms attended the virtual Pre-bid Meeting held on May 7, 2020, and Five (5) submittals were received and opened on June 3, 2020, with two (2) of the five (5) firms meeting the required criteria; and

WHEREAS, on July 22, 2020, the Mayor and City Councilmembers adopted Resolution No. 20-140 (approved 5-0) awarding ITB 2020-09 "Street Sweeping Services" and authorizing the City Manager to enter into an agreement with SFM Services, Inc. (SFM); and

WHEREAS, the contract was awarded for an initial term of two (2) years with the option to renew for an additional three (3) one-year period extensions; and

WHEREAS, the initial two-year term is set to expire on August 28, 2022, with the option to renew for the first one-year extension; and

WHEREAS, on November 3, 2020, Florida voters passed Amendment 2 to Section 24 of Article X of the Florida Constitution with a supermajority (60.8%) of the vote; and

WHEREAS, Florida Minimum Wage Amendment 2 is an initiated constitutional amendment to change the Florida constitution. As such, it is a self-enforcing amendment that requires no additional acts of legislature to enact; and

WHEREAS, the amendment requires the minimum wage to increase on September 30, 2021 to \$10.00 per hour from \$8.65 per hour; and it will increase by \$1.00 on September 30th annually until 2026 when it reaches \$15.00 per hour; and

WHEREAS, on May 4, 2022, SFM provided the City Manager's Office with a formal request to gradually increase the contract's unit pricing as a result of the State of Florida raise in minimum wage and the exponential cost increase of fuel prices; and

WHEREAS, the proposed unit pricing takes into consideration the minimum wage increases per Fiscal Year; and

WHEREAS, in 2022 an adjustment is requested from the current unit prices of \$20.55 for Linear Miles of Curb Lane and \$19.75 for Linear Miles of Non-Curb Lane, to \$23.28 and \$22.37 respectively; and

WHEREAS, for year 2023 an adjustment is being request from the proposed \$23.28 and \$22.37 to \$25.96 and \$24.94 respectively; and

WHEREAS, for year 2024 an adjustment is being requested from the proposed \$25.96 and \$24.94 to \$28.67 and \$24.71 respectively; and

WHEREAS, after further analysis of SFM's request, the PWD respectfully requests that the Mayor and City Councilmembers authorize the City Manager to amend the existing SFM contract agreement which provides Street Sweeping Services for the City of Doral Public Right-of-Way; and

WHEREAS, funding for this request is budgeted in the current Fiscal Year and will be budget in subsequent Fiscal Years in the Public Works Stormwater Fund – "Contractual Services", Account No. 401.80005.500340.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Approval. The amendment of the Contract Agreement between the City of Doral and SFM Services Inc., which provides street sweeping services for the City's right-of-way, to gradually adjust the annual total cost for all subsequent years to reflect increases in the Florida minimum wage increase and fluctuations in fuel costs, in an amount not to exceed annual budgeted funds, is hereby approved.

Section 3. Authorization. The Mayor and the City Council-Members authorize the amendment of the Contract Agreement between the City of Doral and SFM Services Inc. and authorize the City Manager to expend budgeted funds on behalf of the City in furtherance hereof.

Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Mariaca who moved its adoption.
The motion was seconded by Councilmember Cabrera and upon being put to a vote, the
vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Digna Cabral	Absent / Excused
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 8 day of June, 2022.




JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY