



### CONTRACT AMENDMENT

This amendment by and between the Contractor and the City as defined below shall be effective as of the date this Amendment is fully executed.

<b>Contractor's Full Legal Name:</b>	Nature's Keeper Inc.
<b>Solicitation No./Event ID:</b>	#20190076
<b>Solicitation Title/Event Name:</b>	Mowing of Drainage Rights of Way, Greenbelts, Ponds & McCarty Ranch WQR Area 1
<b>Contract Award Date:</b>	November 25, 2019
<b>Initial Current Contract Term:</b>	January 1, 2020 through January 1, 2023
<b>Current Contract Expiration Date:</b>	January 1, 2023
<b>Requested Contract Expiration Date:</b>	January 1, 2026
<b>Initial Contract Amount:</b>	\$655,437.00
<b>Current Contract Amended Amount:</b>	\$670,372.00
<b>Requested Financial Change Amount:</b>	\$30,166.74
<b>New Contract Amount:</b>	\$700,538.74
<b>Amendment No.:</b>	#3
<b>Amendment Type:</b>	Renewal

WHEREAS, the Contract is in effect through the Current Contract Term as defined above; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. **CONTRACT EXTENTION:** The parties hereby agree that the contract will be extended for an additional period of time as follows:

Beginning Date of Amendment #3 Term: January 2, 2023

End Date of Amendment #3 Term: January 1, 2026

The parties agree the contract will expire at midnight on the date defined as the "End Date of Amendment #3 Term" unless the parties agree to extend the contract for an additional period of time.

2. **COMPENSATION:** Additional Services for McCarty Ranch WQR, listed in the existing contract effective January 1, 2020:


Price Breakdown:

Item #	Descriptions	UOM	# of Mows	Unit Cost	Requested 4.5% increase cost
1	Unit Price for DROW	Acre	Per rotation	\$44.50	\$46.50
2	Unit Price for Greenbelt	Acre	Per rotation	\$17.75	\$18.55
3	Unit Price for Mulching	Hourly	N/A	\$125.00	\$130.63
4	Unit Price for Boom Mowing	Hourly	As needed	\$125.00	\$130.63
5	Unit Price for McCarty Ranch mowing	Acre	As needed	\$29.00	\$30.31
6	Weeding / String Trimming	Hourly	As needed	\$55.00	\$57.48

3. All other terms and conditions of the original contract and/or Addenda apply.
4. **SUCCESSORS AND ASSIGNS.** This Amendment shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
5. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Amendment and the contract (including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

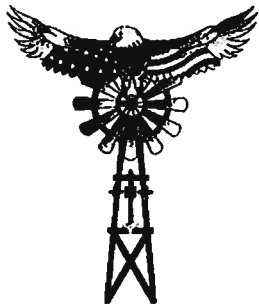
IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives.

**CONTRACTOR**

<b>Contractor's Full Legal Name:</b> (PLEASE TYPE OR PRINT)	Nature's Keeper Inc.
<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	Krysten Bieger, President
<b>Date:</b>	10/5/2022
<b>Company Address:</b>	302 S. Brocksmit Road Fort Pierce, FL 34945

**THE CITY OF PORT ST. LUCIE**

<b>Authorized Signature:</b>	
<b>Printed Name and Title of Person Signing:</b>	Caroline Sturgis, Director, Office of Management & Budget, and Procurement
<b>Date:</b>	
<b>City Address:</b>	121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984



# ***NATURE'S KEEPER INC.***

## **LANDSCAPE & IRRIGATION**

SOD, SEED & MULCH, HYDRO-SEED, SILT FENCE,  
TURBIDITY BARRIER, MITIGATION PLANTING

302 S. BROCKSMITH RD. FORT PIERCE, FL 34945  
PHONE: 772-467-1230 FAX: 772-467-8923

March 17, 2022

City of Port St. Lucie  
Public Works Dept.  
Mr. John Dunton  
450 SW Thornhill Dr.  
Port St. Lucie, FL 34984

Good day Mr. Dunton,

Nature's Keeper Enjoys the opportunity to service the City of Port St. Lucie.

We would like to be able to renew our D.R.O.W. Contract. However, given the economic environment and inflation the past 18 months, we would only be able to renew if we could get a small increase of 4.5% for the next three years. This requested increase does not cover all of the increased costs that we have incurred.

As an example, labor in the past three years has increased by almost 30%. Yes, this has cut into profit but the best possible service starts with having quality personnel. Nature's Keeper has increased the salaries of our professional tractor operators so as not to lose them.

The other key to great service is having reliable equipment. The price of equipment has skyrocketed. For example, three years ago, at the beginning of this contract we purchased two Bush Hog Batwing Mowers for the sole purpose of this project. The cost for each Batwing Deck was \$18,790. That same piece of equipment today costs \$32,000 each. Then we have the 10' cutter used for the sides of the canals, that cost has increased by 37%. The cost to lease the tractors for this project will increase by approximately 12%. Thankfully Kubota is willing to work with us since we have the contract with the City. A case of grease three years ago was \$27 it is now over \$70. We use two cases of grease a week.

Three years ago fuel was \$2.38 gallon and now it is \$5.59.  
We use over 13,000 gallons of fuel on this project alone.

So as you can see it's not just a fuel adjustment increase but also labor and equipment. In the spirit of cooperation and the long established partnership with the City we are requesting a 4 1/2% increase or \$2.81 cents increase per acre. With this increase we will be able to deliver to you the same excellent service from our mowing division we have been providing to the City of Port St. Lucie since 2008.

Respectfully submitted,

Stewart Feketa

Back Up Information Created

September 1, 2022

<u>Fuel price</u> at time of Contract Execution	11/22/19	\$2.76 Gallon
Current Fuel Price	9/1/22	\$4.61 Gallon

Mowing Supervisor Salary

2019 49,840.00

2021 71,814.00

2022 75,000.00 +/- Projection

Insurance Costs

2019 \$150,000

2022 \$360,000

Mowing Units Leased

2019 units Averaged \$1300 per Month

2022 New Units coming in at \$2500 month for the lease.

All these items as well as inflation of Parts, Fluids, Labor for the repairs Etcetera will continue to impact the costs of this contract

# Invoice

PORT CONSOLIDATED  
MIAMI . FORT LAUDERDALE .  
WEST PALM . FORT PIERCE .  
TAMPA . JACKSONVILLE  
1.800.683.5823  
MIAMI: (305)887-1266  
FT LAUDERDALE: (954)522-1182

REMIT TO  
P.O. BOX 350430  
FT LAUDERDALE, FL 33336-0430

FEIN: 59-1173292

Account Number: 461230  
Invoice Number: 2355969  
Invoice Date: 11/22/19

Amount Due: \$ 2,718.97

Due Date: 12/22/19

NATURE'S KEEPER, INC NF  
302 S BROCKSMITH ROAD

FORT PIERCE, FL 34945

Shipping Address:  
NATURE'S KEEPER, INC NF  
302 S BROCKSMITH ROAD

FORT PIERCE, FL 34945

COUNTY: ST LUCIE

courtney@natures-keeper.com  
krysten@natures-keeper.com

PURCHASE ORDER: none

TERMS: NET 30 DAYS

Product	Product Description	Delivered Quantity	Unit Price	Extended Price
Driver: RICHARD POLK JR	Vehicle Code: 8613	Loc: 005093	Salesperson: RICK WILLIAMS	
Order Number: 2355969			BOL Number: 2355969	
913/01	ULTRA LOW SULFUR DSL FUEL/BULK GALLONS	979.8000	\$2.16810	\$2,124.30
	DFE FEDERAL EXCISE DIESEL		\$0.24300	\$238.09
	DMF STATE MOTOR FUEL DIESEL		\$0.18100	\$177.34
	POLLUTION DIESEL		\$0.02071	\$20.30
	L.U.S.T. DIESEL & FED OIL SPILL		\$0.00100	\$0.98
	LOCAL OPTION DSL SAINT LUCIE		\$0.14800	\$145.01
				<u>\$2,706.02</u>
Comment : THIS DIESEL FUEL DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE				
Driver: RICHARD POLK JR	Vehicle Code: 8613	Loc: 005093	Salesperson: RICK WILLIAMS	
Order Number: 2355969			BOL Number: 2355969	
EIFOR	ENVIRONMENTAL FEE (ONROAD)	1.0000	\$12.95000	\$12.95
				<u>\$12.95</u>

Products Total: \$2,137.25  
Shipping / Freight Total: \$0.00  
Tax Total: \$581.72

Total Due: \$2,718.97

There is a 1 1/2% service charge per month for unpaid amounts over 10 days past credit terms. It is agreed that in the event this bill must be turned over for collection, the cost of collection, attorneys fee and court costs will be paid for by the above named company or vessel and its owners.

# Invoice

PORT CONSOLIDATED  
MIAMI . FORT LAUDERDALE .  
WEST PALM . FORT PIERCE .  
TAMPA . JACKSONVILLE  
1.800.683.5823  
MIAMI: (305)687-1266  
FT LAUDERDALE: (954)522-1182

REMIT TO  
P.O. BOX 350430  
FT LAUDERDALE, FL 33335-0430

FEIN: 59-1173282

Account Number: 461230  
Invoice Number: RO3215926  
Invoice Date: 09/01/22

Amount Due: \$ 5,305.60

Due Date: 10/01/22

NATURE'S KEEPER, INC NF  
302 S BROCKSMITH ROAD

FORT PIERCE, FL 34945

Shipping Address:  
NATURE'S KEEPER, INC NF  
302 S BROCKSMITH ROAD

FORT PIERCE, FL 34945

COUNTY: ST LUCIE

courtney@natures-keeper.com

krysten@natures-keeper.com

Support@Natures-keeper.com

PURCHASE ORDER : none

TERMS : NET 30 DAYS

Product	Product Description	Delivered Quantity	Unit Price	Extended Price
Driver: IAN BENJAMIN	Vehicle Code: 8612	Loc: 005093	Salesperson: RICK WILLIAMS	
Order Number: RO3215926			BOL Number: RO3215926	
913/01	ULTRA LOW SULFUR DSL FUEL/BULK GALLONS	1,146.6000	\$4.00000	\$4,586.40
	DFE FEDERAL EXCISE DIESEL		\$0.24300	\$278.62
	DMF STATE MOTOR FUEL DIESEL		\$0.19000	\$217.85
	POLLUTION DIESEL		\$0.02071	\$23.75
	L.U.S.T. DIESEL & FED OIL SPILL		\$0.00314	\$3.60
	LOCAL OPTION DSL SAINT LUCIE		\$0.15300	\$175.43
				<u>\$5,285.65</u>

Comment : THIS DIESEL FUEL DOES NOT CONTAIN VISIBLE EVIDENCE OF DYE

Driver: IAN BENJAMIN	Vehicle Code: 8612	Loc: 005093	Salesperson: RICK WILLIAMS	
Order Number: RO3215926			BOL Number: RO3215926	
EIFOR	ENVIRONMENTAL FEE (ONROAD)	1.0000	\$19.95000	\$19.95
				<u>\$19.95</u>

Products Total: \$4,606.35  
Shipping / Freight Total: \$0.00  
Tax Total: \$699.25

Total Due: \$5,305.60

There is a 1 1/2% service charge per month for unpaid amounts over 10 days past credit terms. It is agreed that in the event this bill must be turned over for collection, the cost of collection, attorneys fee and court costs will be paid for by the above named company or vessel and its owners.

Void <input type="checkbox"/>		a Employee's social security number		Copy D — For Employer OMB No. 1545-0008							
b Employer identification number (EIN) 65-0313390				1 Wages, tips, other compensation 49840.00		2 Federal income tax withheld 3880.00					
c Employer's name, address, and ZIP code NATURES KEEPER INC. NATURE'S KEEPER, INC. 302 S. BROCKSMITH ROAD  FORT PIERCE FL 34945				3 Social security wages 49840.00		4 Social security tax withheld 3090.08					
				5 Medicare wages and tips 49840.00		6 Medicare tax withheld 722.68					
				7 Social security tips		8 Allocated tips					
d Control number				9		10 Dependent care benefits					
e Employee's name, address, and ZIP code DAVID A CAPPS [REDACTED] [REDACTED]				11 Nonqualified plans		12a See instructions for box 12					
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		12b					
				14 Other		12c					
						12d					
15 State Employer's state ID number		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.		19 Local income tax		20 Locality name	

Form **W-2** Wage and Tax  
Statement  
Copy D — For Employer

REV 12/23/19 Q8DT

2019

Department of the Treasury—Internal Revenue Service  
For Privacy Act and Paperwork Reduction  
Act Notice, see separate instructions.

Void <input type="checkbox"/>		a Employee's social security number		Copy D — For Employer OMB No. 1545-0008							
b Employer identification number (EIN) 65-0313390				1 Wages, tips, other compensation 71814.00		2 Federal income tax withheld 7565.00					
c Employer's name, address, and ZIP code NATURES KEEPER INC. NATURE'S KEEPER, INC. 302 S. BROCKSMITH ROAD  FORT PIERCE FL 34945				3 Social security wages 71814.00		4 Social security tax withheld 4452.47					
				5 Medicare wages and tips 71814.00		6 Medicare tax withheld 1041.30					
				7 Social security tips		8 Allocated tips					
d Control number				9		10 Dependent care benefits					
e Employee's name, address, and ZIP code DAVID A CAPPS [REDACTED] [REDACTED]				11 Nonqualified plans		12a See instructions for box 12					
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		12b					
				14 Other		12c					
						12d					
15 State Employer's state ID number		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.		19 Local income tax		20 Locality name	

Form **W-2** Wage and Tax  
Statement  
Copy D — For Employer

REV 12/17/21 Q8DT

2021

Department of the Treasury—Internal Revenue Service  
For Privacy Act and Paperwork Reduction  
Act Notice, see separate instructions.