



Lee County
Southwest Florida

BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

February 14, 2023

(239) 533-8881

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

Mr. Dharmen Setaram
Winfield Solutions, LLC nka Heritage Landscape Supply Group, Inc.
7440 State Highway 121
McKinney, TX 75070

**RE: NOTICE TO TERMINATE - B220088WCD- ANNUAL PURCHASE OF
PESTICIDES, FUNGICIDES & HERBICIDES**

Dear Mr. Setaram:

On June 21, 2022, Lee County entered into an agreement with Winfield Solutions, LLC for the Annual Purchase of Pesticides, Fungicides & Herbicides through Solicitation No. B220088WCD. Lee County was recently advised that Winfield Solutions, LLC had merged with, and begun operating as, Heritage Landscape Supply Group, Inc. and would be performing all future work under the existing Heritage Landscape Supply Group, Inc. agreement for the Annual Purchase of Pesticides, Fungicides & Herbicides.

Therefore, Pursuant to Article XII, Termination, of the agreement, the County is exercising its right to terminate the Winfield Solutions, LLC agreement for convenience. In compliance with the termination procedures established by Article XII, the agreement shall terminate as of March 16, 2023. However, commencing upon the date of receipt of this Notice, the County is mandating that any remaining purchases made under the Winfield Solutions, LLC agreement, shall now be transferred to the Heritage Landscape Supply Group, Inc. agreement.

If you should have any questions, please contact our office.

Sincerely,

Mary G. Tucker, CPPO, CPPB, CPM
Director of Procurement Management

C: FinanceOnBase@leeclerk.org
Project File

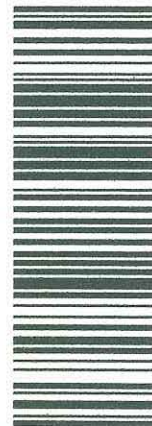


Lee County Procurement Management
PO Box 398
Fort Myers, FL 33902

Dharmen Setaram
Heritage Landscape Supply Group, Inc.
7440 State Highway 121
McKinney, TX 75070

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



7013 1090 0000 4960 4477
7013 1090 0000 4960 4477

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Procurement - Daniel

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
Street, Apt. No.,
or PO Box No. 7440 State Highway 121
City, State, ZIP+4 McKinney, TX 75070

PS Form 3800, August 2006

See Reverse for Instructions

Goggin, Daniel

From: Goggin, Daniel
Sent: Tuesday, February 14, 2023 7:24 AM
To: Jeff Baker
Cc: Mitch Kerans; dsetaram@landolakes.com; Chin, Cledwin; Urban, Kimberly
Subject: RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield merger - Amendment 1
Attachments: B220088WCD - Purchase of Pesticides etc - Winfield merge to Heritage - Am 1 - EXEC OCR.pdf; B220088WCD - Purchase of Pesticides, etc - Winfield Solutions - Term Letter - SIGNED OCR.pdf
Importance: High

Good morning, all,

Please see the attached, fully executed, copy of the above referenced Amendment, for your records. Thank you for your assistance with getting this completed. At this time, Kimberly can begin working on the process for the requested price increase. We will keep you posted in that regard.

Also attached is the termination letter officially terminating the Winfield agreement, technically effective on 3/16/2023. However, all future orders should be made under the new Heritage agreement.

Hope you have a great day!



#

Daniel Goggin | Contracts Analyst

Procurement Management Department

5448#lhfrqg#vwhhw#1vw#coru#ruw# |hw/#O#56<34

office:#56< ,#B660; ;93

email:#bjrjjhC bhjrylfrp ##

web:[www.bhjrjy1frp /procurement](http://www.bhjrjy1frp.com)

Frqghfw# wk#v#R q#vrfld# hgd#



From: Goggin, Daniel
Sent: Monday, February 13, 2023 8:06 AM
To: Jeff Baker <Jeff.Baker@heritageppg.com>
Cc: Mitch Kerans <Mitch.Kerans@fisoutdoor.com>; dsetaram@landolakes.com; Chin, Cledwin <CChin@leegov.com>; Urban, Kimberly <KUrban@leegov.com>

Subject: RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield merger - Amendment 1

My apologies. I meant to add also, you don't have to send originals of the signature auth, or updated amendment, a scanned/emailed copy is perfect.

Thank you!



#

Daniel Goggin | Contracts Analyst

Procurement Management Department

5448#hfrqg#vwhw#v#arrru#rur#P |hw/#O#56<34

office:#56< ,#8660; ; 93

email:#irjibC ohjrylfrp.#

web:#zzb ohjrylfrp /procurement

Frqghfw#Z lk#v#R q#rflde hgl#



From: Goggin, Daniel

Sent: Monday, February 13, 2023 8:05 AM

To: Jeff Baker <Jeff.Baker@heritageppg.com>

Cc: Mitch Kerans <Mitch.Kerans@fisoutdoor.com>; dsetaram@landolakes.com; Chin, Cledwin <CChin@leegov.com>; Urban, Kimberly <KUrban@leegov.com>

Subject: RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield merger - Amendment 1

Importance: High

Good morning, Jeff,

I received the paper amendment you sent. Thank you for that. I hate to be a huge pain, but I don't have signature authorization on file for you to sign the amendment. Our County Attorney requires either a President/CEO signature on contract documents or some sort of corporate document or a signature authorization affidavit signed by the President/CEO giving you the authority to sign contract documents. I am attached a blank signature authorization affidavit, if needed. Please let me know how I can assist. I apologize for the inconvenience, but appreciate your help.

Hope you have a great day!



#

Daniel Goggin | Contracts Analyst

Procurement Management Department

5448#7hfrqg#7whhw#1vw#Eorru#EruwP |hw/#EO#56<34

office:#56<,#B660; ;93

email:#girjibc@herity1frp##

web:#zzz.bhry1frp/procurement

FrqghfwZ wk#vR q#VrfldP hgd#



From: Goggin, Daniel

Sent: Thursday, February 9, 2023 9:20 AM

To: Jeff Baker <Jeff.Baker@heritageppg.com>

Cc: Mitch Kerans <Mitch.Kerans@fisoutdoor.com>; dsetaram@landolakes.com; Chin, Cledwin <CChin@leegov.com>; Urban, Kimberly <KUrban@leegov.com>

Subject: RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield merger - Amendment 1

Importance: High

Good morning, Jeff, and team,

I know that request for a price increase was sent over to Kim. We can begin working on that whole process, but we would prefer to get this amendment signed (and the vendor app documents) returned first, so we can avoid any delay in getting Heritage's new entity set up on our end. Please let us know if we can assist to get this merger amendment back signed and then Kim will get the ball rolling on the possible price increase, using that amendment as the basis.

Thank you!



Daniel Goggin | Contracts Analyst

Procurement Management Department

5448#7hfrqg#7whhw#1vw#Eorru#EruwP |hw/#EO#56<34

office:#56<,#B660; ;93

email:#girjibc@herity1frp##

web:#zzz.bhry1frp/procurement

FrqghfwZ wk#vR q#VrfldP hgd#



From: Jeff Baker <Jeff.Baker@heritageppg.com>

Sent: Tuesday, January 31, 2023 9:37 AM

To: Goggin, Daniel <DGoggin@leegov.com>

Cc: Mitch Kerans <Mitch.Kerans@fisoutdoor.com>; dsetaram@landolakes.com; Chin, Cledwin <CChin@leegov.com>

Subject: [EXTERNAL] RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield merger - Amendment 1

Good morning sir,

Thank you, I will strive to get these documents filled out asap and back in your hands quickly. I appreciate your help in facilitating this for us. Thank you.

Jeff Baker

From: Goggin, Daniel <DGoggin@leegov.com>

Sent: Tuesday, January 31, 2023 9:52 AM

To: Jeff Baker <Jeff.Baker@heritageppg.com>

Cc: Mitch Kerans <Mitch.Kerans@fisoutdoor.com>; dsetaram@landolakes.com; Chin, Cledwin <CChin@leegov.com>

Subject: RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield merger - Amendment 1

Importance: High

[CAUTION] This email came from an external source. Do not click on links or attachments unless you recognize the sender and are expecting this email. NEVER provide your Username or Password when prompted from an email.

Good morning, Jeff and team,

Per my discussions with Jeff regarding the troubles with having two agreements under one Tax ID, and the decision was relayed that Heritage (and now Winfield) would move to operate as only Heritage Landscape Supply Group, Inc., I have prepared the attached amendment that consolidates the Winfield and Heritage products and changes the contracting name for Heritage to Heritage Landscape Supply Group, Inc. I have left it WORD format in case you find any errors in your review. I do ask that if any changes are required, please track changes (redline) and return the revised document to us for approval, prior to signing. If you are good with the amendment, please have it signed by the President/CEO or authorized signor for Heritage Landscape Supply Group, Inc., and return a scan of the signed amendment via email. **No original is needed.** [ONLY] If someone other than the President/CEO signs, we will need either corporate documentation authorizing their signature, or a completed lee county signature authorization affidavit, signed by the president/CEO and notarized.

Additionally, once you take the steps on your end to operate as Heritage Landscape Supply Group, Inc. we will need an updated Vendor Application and W9 so we can update our system with the correct name, address, Tax ID, and payment information. (Those forms are also attached).

We look forward to your response!

Daniel Goggin | Contracts Analyst
Procurement Management Department
2115 Second Street, 1st Floor, Fort Myers, FL 33901
office: (239) 533-8860
email: dgoggin@leegov.com
web: www.leegov.com/procurement

Connect With Us On Social Media

-----Original Message-----

From: Jeff Baker <Jeff.Baker@heritageppg.com>

Sent: Thursday, January 26, 2023 9:24 AM

To: Goggin, Daniel <DGoggin@leegov.com>

Subject: [EXTERNAL] RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield?

Good morning sir,

Thank you for help us with this process. Yes Heritage is in agreement to terminate the Winfield agreement and merge the products from Winfield into the existing Heritage agreement. And going forward we will be known as Heritage Landscape Supply Group, Inc. I appreciate your help with this process and again please let me know how we can help expediate this transition.

Sincerely

Jeff Baker

Bid Development Manager

207-606-9119

-----Original Message-----

From: Goggin, Daniel <DGoggin@leegov.com>

Sent: Thursday, January 26, 2023 8:22 AM

To: Jeff Baker <Jeff.Baker@heritageppg.com>

Subject: RE: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield?

[CAUTION] This email came from an external source. Do not click on links or attachments unless you recognize the sender and are expecting this email. NEVER provide your Username or Password when prompted from an email.

Thanks, Jeff. I will work on an amendment.

Just to confirm, Heritage is in agreement then to terminate the Winfield agreement and then merge the products from Winfield into the existing Heritage agreement?

If so, what will be the official name of the merged company in Sunbiz? Still Heritage Landscape Supply Group, Inc. dba FIS Outdoor? And will it still be under the tax ID of: 46-1116383?

Thanks!

Daniel Goggin | Contracts Analyst

Procurement Management Department

2115 Second Street, 1st Floor, Fort Myers, FL 33901

office: (239) 533-8860

email: dgoggin@leegov.com

web: <https://protect-us.mimecast.com/s/rzIFCn5m99sxZk73H9RXCW?domain=urldefense.com>

Connect With Us On Social Media

-----Original Message-----

From: Jeff Baker <Jeff.Baker@heritageppg.com>

Sent: Thursday, January 26, 2023 8:14 AM

To: Goggin, Daniel <DGoggin@leegov.com>

Subject: [EXTERNAL] Re: B220088WCD - Purchase of Pesticides, Fungicides and Herbicides -Heritage/Winfield?

Good morning sir

We have decide to try and merge the 2 companies under one tax id number. Please let me know how best we can help facilitate this process. I appreciate your patience as we worked through this and again am here to help however way possible. Thank you

Jeff Baker

Bid Development Manager

207-606-9119

Sent from my iPhone

> On Jan 26, 2023, at 8:41 AM, Goggin, Daniel <DGoggin@leegov.com> wrote:

>

> [CAUTION] This email came from an external source. Do not click on links or attachments unless you recognize the sender and are expecting this email. NEVER provide your Username or Password when prompted from an email.

>

>

> Good morning, Jeff,

>

> Any news on the plan for the two Winfield/Heritage contracts? Are you applying for a new tax ID or should we try to merge? Please let me know.

>

> Hope you have a great day!

>

>

> Daniel Goggin | Contracts Analyst

> Procurement Management Department

> 2115 Second Street, 1st Floor, Fort Myers, FL 33901

> office: (239) 533-8860

> email: dgoggin@leegov.com

> web: <https://protect-us.mimecast.com/s/p5pNCo2nggT8VQrPCzHsAY?domain=urldefense.com>

> Connect With Us On Social Media

>

>

> -----Original Message-----

> From: Jeff Baker <Jeff.Baker@heritageppg.com>

> Sent: Thursday, January 19, 2023 3:16 PM

> To: Goggin, Daniel <DGoggin@leegov.com>

> Subject: [EXTERNAL] Winfield acquisition by Heritage Landscape

>

> Good afternoon sir

>

> I am a colleague of Dharmen Setaram at Heritage Landscape Supply Group and was wondering if we might speak about the recent acquisition of Winfield by Heritage and how best we can help Lee County make this transition

seamless. Please let me know what would be a good time for us to discuss this matter. Thank you sir appreciate your time.

>

> Jeff Baker

> Bid Development Manager

> Heritage Landscape Supply Group. Inc.

> 207-606-9119

>

> Sent from my iPhone

>

>

> _____

> Receive updates from Lee County Government by subscribing to our newsletter<<https://protect-us.mimecast.com/s/K5m6CpYojjUy07nOtY3X4m?domain=urldefense.com> >

>

> Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

>

> Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

>