

AWARD AGREEMENT

CITY OF FORT LAUDERDALE
PROCUREMENT SERVICES DEPARTMENT
100 N. ANDREWS AVENUE, ROOM 619
FORT LAUDERDALE, FL 33301
(954) 828-5933

City Commission Approval: N/A **Period Covered:** 5/13/09 – 5/12/10 **Contract No.:** Co-Op H-22-09 Pompano Beach

Vendor:
Earthwise Landscape Products, Inc.
1208 NW 10 Avenue
Okeechobee, FL 34972

Attn: Loren Stanley
863-763-0075
Fax 863-763-0358

Invoice To:
City of Fort Lauderdale
Accounts Payable
100 N. Andrews Avenue
Fort Lauderdale, FL 33301

Payment Terms: Net 30
Delivery: 3 Days
Commodity: 335.12

MULCH

	<u>Unit Price</u>
Item 2 – Mulch, brown, delivered in bulk per cubic yard Yards per truckload: 100 Minimum order: 100 (truckload)	\$ 15.00 / ten yard
Item 4 – Mulch, bagged, delivered, brown Bags per pallet: 80 Minimum order: 1600 (20 pallets) (* If forklift is required, add \$50 for one drop location per truck)	\$ 1.51 * / bag

Insurance Coverage Required: Yes No
Authorized for Purchases: Under \$25,000 Over
Extension Options: Yes No Years: 1

We, the undersigned contractor, hereby agree to perform in accordance with the terms, conditions and specifications of Pompano Beach Co-Op Invitation to Bid H-22-09. The contract signor MUST be an officer of the company or provide a document from an officer authorizing another to sign on their behalf to bind your company to the terms, conditions and specifications set forth in the agreement.



Authorized Signature

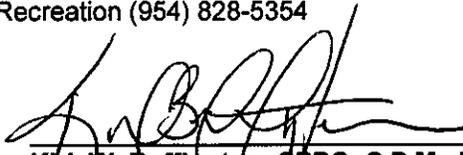
7-10-09
Date

LOREN STANLEY President

Printed Name and Title

Department Contract Co-Ordinator: Kim Clifford, Parks & Recreation (954) 828-5354

Procurement Specialist: AnnDebra Diaz, CPPB



Kirk W. Buffington, CPPO, C.P.M., MBA
Director of Procurement Services



City of Pompano Beach, Purchasing Division
1190 N.E. 3rd Avenue, Building C
Pompano Beach, Florida, 33060



May 13, 2009

Loren S. Stanley, President
Earthwise Landscape Products, Inc.
1208 N.W. 10th Avenue
Okeechobee, Florida 34972

**CONTRACT
COPY**

Via Facsimile (863) 763-0358

Dear Ms. Stanley,

The City Commission, at their May 12 meeting, agenda item #2, approved award of an open-end contract at the unit price bid to your company for the following:

Bid H-22-08, Mulch (Cooperative Bid), Items 2 & 4

The contract period shall be one year, through May 12, 2010. The City will place orders for mulch, as needed, throughout the contract period at the unit prices bid:

- Item 2, Mulch, bulk, delivered, brown, \$15.00/ton, minimum order 100 yards (truckload)
- Item 4, Mulch, bagged, delivered, brown, \$1.51/bag, minimum order 1600 bags (20 pallets)
(if forklift required, add \$50 for one drop location per truck)

The specifications, terms, and conditions of the Bid shall remain firm for the initial contract period, and any renewal period. Contract renewal may be made as per the terms contained in the bid document.

As required by the Bid specifications, please forward current insurance certificates to the Purchasing office within ten (10) days of receipt of this letter. I have enclosed a copy of the Insurance section from the Bid for your reference. Please have your insurance agent fax copies of the certificate(s) to the Purchasing office at (954) 786-4168, and mail the current certificate(s) to City of Pompano Beach, Attention Risk Manager, 100 West Atlantic Boulevard, Pompano Beach, Florida, 33060.

A copy of this letter, and additional bid information, will be distributed to each participating Southeast Florida Governmental Purchasing Cooperative member. Each participating entity is responsible for issuing its own contract, purchase order, payment, etc.

If you have questions regarding the terms of the contract, please telephone me at (954) 786-4098. Thank you.

Very truly yours,

Leeta Hardin
General Services Director

enclosure

cc: Michael Carter, Streets/Grounds Superintendent
Co-op
file

FAXED
5/13

EARTHWISE LANDSCAPE PRODUCTS, INC.
PRODUCT INFORMATION SHEET
 Prepared for City of Pompany Beach
 Bid H-22-09—Mulch

We quote on the following two products as referred to Red Mulch and Brown Mulch in the bid:



Colorwise Red Mulch is produced from 100% natural forest timber and colored with non-hazardous long lasting colorant. Stays red for 9—12 months.

Available in 2 cu ft bags.
 Package 80 bags per pallet

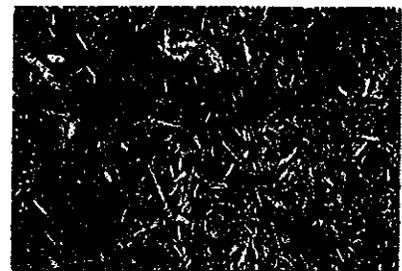
Or 100 yard bulk loads



Earthwise Mulch is 100% natural forest timber derived from land clearing. It is dark, rich and used by municipalities that will not use Cypress Mulch. All natural and certified by the Mulch & Soil Council it will break down in 9—12 months adding nutrients to the soil.

Available in 2 cu ft bags.
 Package 80 bags per pallet

Or 100 yard bulk loads



These Earthwise products have received

certification by the

Mulch & Soil Council.

Learn more about the certification process and the

Mulch & Soil Council at

www.mulchandsoilcouncil.org

CERTIFIED PRODUCT

	<input type="checkbox"/> Pines/Fir Mulch
	<input type="checkbox"/> Standard Pines/Fir Mulch
	<input type="checkbox"/> Landscape-Grade & Soil Amendment
	<input checked="" type="checkbox"/> Other

This product has been registered and listed for certification in the standards of the Mulch & Soil Council for the Mulch & Soil Council. The Mulch & Soil Council does not warrant a product company for production, and this certification mark does not apply to products of other. For more information, refer to the M&S Council web site at www.mulchandsoilcouncil.org.

Rod Stanley, VP Marketing

4251 SE Commerce

Stuart, FL 34997

PH: 772-220-0100

Cell: 772-260-2036

FAX: 772-220-0223

EMAIL: rod@earthwisemulchinc.com

www.earthwisemulchinc.com



Bidder Name Earthwise Landscape Products Inc.
* \$ 33.00 /cy \$ 439,300.00

6. 13,100 cubic yards mulch, bulk, installed, brown

minimum order: 60

7. 120 cubic yards Melaleuca mulch, bulk, delivered \$ 15.00*/cy \$ 1800.00

of yards per truckload: 100

minimum order: 100

8. 1,000 bags Melaleuca mulch, bagged, delivered \$ 1.51*** /bag \$ 1510.00

of bags per pallet: 80

minimum order: 1000

9. 10 super sacks mulch, Rubber, bagged, delivered \$ _____ /super sack

minimum order: _____

Delivery time after receipt of order 3 calendar days.

Conflict of Interest: For purposes of determining any possible conflict of interest, all bidders must disclose if any City of Pompano Beach employee is also an owner, corporate officer, or employee of their business. Indicate either "Yes" (a City employee is also associated with your business), or "No". If yes, give person(s) name(s) and position(s) with your business. (Note: If answer is "Yes", you must file a statement with the Supervisor of Elections, pursuant to Florida Statutes 112.313.)

No Yes _____ Name & position _____

Drug-Free Workplace: Whenever two or more bids which are equal with respect to price, quality, and service are received for the procurement of commodities or contractual service, a bid received from a business that certifies that it has implemented a Drug-free Workplace Program shall be given preference in the award process. If bidder's company has a Drug-free Workplace Program as outlined in General Conditions, section 32., so certify below:

Yes, bidder has a drug-free workplace program No _____

* includes delivery
** if fork lift required, add \$50.00 for one drop location, per truck

[Handwritten Signature]
Initial