



Contract No.: 492-10217

**Agreement to Supply: EMERGENCY PUMPING SERVICES**

This agreement, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2009, is by and between the CITY OF FORT LAUDERDALE, a Florida municipality, City Hall, 100 North Andrews Avenue, Fort Lauderdale, FL 33301, hereinafter called the "City" and name of Contractor:

Name: F. A. Johnson, Inc.

Address: 4700 Powerline Road City: Fort Lauderdale State: FL Zip: 33309

A Corporation  A Partnership  An Individual  Other: \_\_\_\_\_

hereinafter called the "Company" or "Contractor." Witnesseth that: Whereas, the City did issue an Invitation to Bid (ITB) for supplying the requirements of the City for the items and/or service listed above, for a period of one year, with four one-year extension options, and the Contractor submitted a bid that was accepted and approved by the City.

Formal authorization of this contract was adopted by the City Commission on: May 19, 2009, Pur-05, CAR 09-0509

Now, therefore, for and in consideration of the mutual promises and covenants herein contained, the parties covenant and agree as follows:

1. The Company agrees to provide to the City emergency pumping services during the period beginning 05/19/09 and ending 05/18/10 for the requirements listed above and according to the following specifications, terms, covenants and conditions:

- a. The Invitation to Bid containing General Conditions, Special Conditions, Specifications, addenda, if any, and other attachments forming a part of ITB Number 492-10217 and the Contractor's proposal in response, form a part of this contract and by reference are made a part hereof.
- b. In construing the rights and obligations between the parties, the order of priority in cases of conflict between the documents shall be as follows:
- 1) This contract Form G-110, Rev. 12/00
  - 2) The City's ITB and all addenda thereto
  - 3) Contractor's proposal in response to the City's ITB

c. **Warranty:** The Company by executing this contract embodying the terms herein warrants that the product and/or service that is supplied to the City shall remain fully in accord with the specifications and be of the highest quality. In the event any product and/or service as supplied to the City is found to be defective or does not conform to specifications the City reserves the right to cancel that order upon written notice to the Contractor and to adjust billing accordingly.

d. **Cancellation:** The City may cancel this contract upon notice in writing should the Contractor fail to reasonably perform the service of furnishing the products and/or services as specified herein upon 30 days written notice. This applies to all items of goods or services.

e. **Taxes Exempt:** State Sales (85-8013875578C-1) and Federal Excise (59-600319) Taxes are normally exempt, however, certain transactions are taxable. Consult your tax practitioner for guidance where necessary.

f. **Invoicing:** Contractor will forward all invoices in duplicate for payment to the following: Finance Department, 100 N. Andrews Avenue, 6th Floor, Fort Lauderdale, FL 33301. If discount, other than prompt payment terms applies, such discount MUST appear on the invoice.

2. **Contract Special Conditions:** The following special conditions are made a part of and modify the standard provisions contained in this contract Form G-110.

3. **Contract Summary:**

a. Attachments:

**F. A. Johnson, Inc.'s response to the ITB and a copy of the ITB document.**

b. Payment Terms: Per ITB

c. Delivery: Per ITB

d. Insurance: Yes  No

e. Performance Bond/Letter of Credit: Yes  No

f. Procurement Specialist's Initials: RM

4. **Contractor's Phone Numbers:** Office: 954-776-5931 Fax: 954-776-5955

5. **Contractor Contact:** Pete Cameron

6. **Contractor's E-Mail Address:** peter@FAJohnson.com Website: www.FAJohnson.com

**City of Fort Lauderdale**

By: [Signature]  
Director of Procurement Services (City Manager's Designee)

Date: 7/02/09

Approved as to form:  
[Signature]  
Senior Assistant City Attorney

**Contractor/Vendor**

RONALD R. CAMERON  
Name of Company Officer (please type or print)

By: [Signature]  
Authorized Officer's Signature

Title: V.P. SALES

Date: JUNE 26, 2009

Attest: [Signature] SEC  
Signature of Secretary  
Jeffrey B. Cameron, SEC  
Secretary (please type or print)

## BIDDER PROPOSAL PAGE

Bid # 492-10217

BIDDER NAME F. A. JOHNSON, Inc.

Bidder agrees to supply the products or services at the prices bid below in accordance with the terms, conditions, and specifications contained in this ITB. All price information to be used in the bid evaluation must be on this page. Pricing MUST include delivery and be quoted FOB: Destination.

<u>Number of Vehicles</u>	<u>Type</u>	<u>Estimated Annual Hours</u>	<u>Cost Per Hour</u>	<u>Extension</u>
1st and 2nd	Min. 4000 gallon vehicle	100	\$245.00	\$24,500.00
3rd and 4th	Min. 4000 gallon vehicle	100	\$225.00	\$22,500.00
5th and 6th	Min. 4000 gallon vehicle	50	\$205.00	\$10,250.00
			<b>GRAND TOTAL</b>	<b>\$57,250.00</b>