



Contract No.: 473-9744

Agreement to Supply: WATER VALVE & FIRE HYDRANT MAINTENANCE SERVICES

This agreement, made and entered into this the _____ day of _____, 2007, 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 Contractor:

Name: Wachs Valve and Hydrant Services, LLC

Address: 600 Knightsbridge Parkway City: Lincolnshire State: IL Zip: 60069

A Corporation A Partnership An Individual Other: limited liability Company

authorized to do business in the State of Florida, hereinafter called the "Company" or "Contractor." Witnesseth that: Whereas, the City did advertise and issue a Request for Proposal (RFP) 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 proposal that was accepted and approved by the City.

Formal authorization of this contract was adopted by the City Commission on: September 5, 2007 Pur-6

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 water valve & fire hydrant maintenance services during the period beginning 09/06/07 and ending 09/05/08 for the requirements listed above and according to the following specifications, terms, covenants and conditions:

a. This contract form G-110, the Request for Proposal containing General Conditions, Special Conditions, Specifications, addenda, if any, and other attachments to RFP Number **473-9744**, and the Contractor's proposal in response to the RFP form a part of this contract and by reference are incorporated herein.

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 RFP and all addenda thereto
- 3) Contractor's proposal in response to the City's RFP

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 (#85-8012514506C-7) 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.

The paragraph titled "Liability," contained on Page 57 of the Contractor's response to the RFP, is deleted.

3. **Contract Summary:**

a. Attachments:

Wachs Valve and Hydrant Services, LLC's response to the RFP and a copy of the RFP document.

b. Payment Terms: **Per RFP; not to exceed \$400,000 total**

c. Delivery: Per RFP

d. Insurance: Yes No

e. Performance Bond/Letter of Credit: Yes No

f. Procurement Specialist's Initials: DN

4. **Contractor's Phone Numbers:** Office: **847-484-2670** Toll free: **800-525-5821**

5. **Contractor's Fax Number:** **847-484-2671**

6. **Contractor's E-Mail Address:** iwade@wachsus.com Website: www.WachsUS.com

City of Fort Lauderdale

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

Auth: Sec. 2180(8) of Code and Procurement Memo No. 04-03

Date: 2/06/08

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

Contractor/Vendor

WACHS VALVE AND HYDRANT SERVICES
Name of Company Officer (please type or print)

By: [Signature]
Authorized Officer's Signature

Title: PRESIDENT

Date: 1/31/08

Barbara F. Quintan
Secretary (please type or print)

Attest: [Signature]
Signature of Secretary

BID/PROPOSAL SIGNATURE PAGE

How to submit bids/proposals: It is preferred that bids/proposals be submitted electronically at www.rfpdepot.com. If mailing a hard copy, it will be the sole responsibility of the Bidder to ensure that his bid reaches the City of Fort Lauderdale, City Hall, Procurement Department, Suite 619, 100 N. Andrews Avenue, Fort Lauderdale, FL 33301, prior to the bid opening date and time listed. Bids/proposals submitted by fax or email will NOT be accepted.

The below signed hereby agrees to furnish the following article(s) or services at the price(s) and terms stated subject to all instructions, conditions, specifications addenda, legal advertisement, and conditions contained in the bid. I have read all attachments including the specifications and fully understand what is required. By submitting this signed proposal I will accept a contract if approved by the CITY and such acceptance covers all terms, conditions, and specifications of this bid/proposal.

Please Note: If responding to this solicitation through RFP Depot, the electronic version of the bid response will prevail, unless a paper version is clearly marked by the bidder in some manner to indicate that it will supplant the electronic version.

Submitted by: C. Wilson (signature) 4/25/07 (date)

Name (printed): CLIFF Wilson Title: President

Company: (Legal Registration) Wachs Valve and Hydrant Services, LLC

CONTRACTOR, IF FOREIGN CORPORATION, SHALL BE REQUIRED TO OBTAIN A CERTIFICATE OF AUTHORITY FROM THE DEPARTMENT OF STATE, IN ACCORDANCE WITH FLORIDA STATUTE §607.1501 (visit <http://www.dos.state.fl.us/doc/>).

Address: 600 Knightsbridge Parkway

City: Lincolnshire State: IL Zip: 60069

Telephone No. (847) 484-2670 FAX No. (847) 484-2671

E-MAIL: jwade@wachsus.com

Delivery: Calendar days after receipt of Purchase Order (section 1.02 of General Conditions):

Payment Terms (section 1.03): Total Bid Discount (section 1.04):

Does your firm qualify for MBE or WBE status (section 1.08): MBE WBE

ADDENDUM ACKNOWLEDGEMENT - Proposer acknowledges that the following addenda have been received and are included in his proposal:

Addendum No. Date Issued

VARIANCES: State any variations to specifications, terms and conditions in the space provided below or reference in the space provided below all variances contained on other pages of bid, attachments or bid pages. No variations or exceptions by the Proposer will be deemed to be part of the bid submitted unless such variation or exception is listed and contained within the bid documents and referenced in the space provided below. If no statement is contained in the below space, it is hereby implied that your bid/proposal complies with the full scope of this solicitation.

Wachs Valve and Hydrant Services, LLC

Bid Contact **Cliff Wilson**
jwade@wachsus.com
Ph 847-484-2670
Fax 847-484-2671

Address **600 Knightsbridge Parkway**
Lincolnshire, IL 60069

Item #	Line Item	Notes	Unit Price	Qty/Unit	Total Price	Attch. Docs
473-9744-1-01	Servicing 2 inch and smaller size valves	Supplier Product Code: 	First Offer - \$123.25	288 / each	\$35,496.00	Y
473-9744-1-02	Servicing greater than 2 inch up to 10 inch size valves	Supplier Product Code: 	First Offer - \$123.25	3448 / each	\$424,966.00	Y
473-9744-1-03	Servicing greater than 10 inch up to 16 inch size valves	Supplier Product Code: 	First Offer - \$123.25	204 / each	\$25,143.00	Y
473-9744-1-04	Servicing greater than 16 inch size valves	Supplier Product Code: 	First Offer - \$431.25	92 / each	\$39,675.00	Y
473-9744-1-05	Servicing Fire Hydrants	Supplier Product Code: 	First Offer - \$180.00	1325 / each	\$238,500.00	Y
Vendor Total					\$763,780.00	

NON-COLLUSION STATEMENT:

By signing this offer, the vendor/contractor certifies that this offer is made independently and *free* from collusion. Vendor shall disclose below any City of Fort Lauderdale, FL officer or employee, or any relative of any such officer or employee who is an officer or director of, or has a material interest in, the vendor's business, who is in a position to influence this procurement.

Any City of Fort Lauderdale, FL officer or employee who has any input into the writing of specifications or requirements, solicitation of offers, decision to award, evaluation of offers, or any other activity pertinent to this procurement is presumed, for purposes hereof, to be in a position to influence this procurement.

For purposes hereof, a person has a material interest if they directly or indirectly own more than 5 percent of the total assets or capital stock of any business entity, or if they otherwise stand to personally gain if the contract is awarded to this vendor.

In accordance with City of Fort Lauderdale, FL Policy and Standards Manual, 6.10.8.3,

3.3. City employees may not contract with the City through any corporation or business entity in which they or their immediate family members hold a controlling financial interest (e.g. ownership of five (5) percent or more).

3.4. Immediate family members (spouse, parents and children) are also prohibited from contracting with the City subject to the same general rules.

Failure of a vendor to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the City Procurement Code.

NAME**RELATIONSHIPS**

In the event the vendor does not indicate any names, the City shall interpret this to mean that the vendor has indicated that no such relationships exist.

BID/PROPOSAL SIGNATURE PAGE

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Submitted by: _____ (signature) _____ (date)

Name (printed)Title:

Company: (Legal Registration)

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Variances: