



Contract No.: 442-9072

Agreement to Supply: SLUDGE DISPOSAL SERVICES

This agreement, made and entered into this the 15 day of DECEMBER, 2004, by and between the **CITY OF FORT LAUDERDALE**, a municipal corporation of Florida, City Hall, Fort Lauderdale, FL 33301, hereafter called the "City" and

Name of **CONTRACTOR**: SYNAGRO SOUTHEAST, INC.

Address: 331 LEGEND TRAIL City: VERO BEACH State: FL Zip: 32963

A Corporation A Partnership An Individual Other: _____

authorized to do business in the State of Florida, hereinafter called the "Company or Contractor" Witnesseth that: Whereas, the City did advertise and issue an Invitation to Bid (ITB) or Request for Proposal (RFP) for supplying the requirements of the City for the items and/or service listed above for a period of FIVE (5) YEARS and the Contractor submitted a proposal/bid that was accepted and approved by the City.

Formal authorization of this contract was adopted by the City Commission on: November 1, 2004

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

1. The Company agrees to sell to the City and the City agrees to buy from the Company, during the period beginning 12/15/2004 and ending 12/14/2009 for the requirements listed above and according to the following specifications, terms, covenants and conditions:

a. The Legal Advertisement, Invitation to Bid/Request for Proposal containing General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specification, addenda, and/or any other attachments forming a part of ITB/RFP Number **442-9072** and the Contractor's bid 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/RFP and all addenda thereto
- 3) Contractor's bid/proposal in response to the City's ITB/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 (#16-03-196479-54C) 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:

Copy of vendor proposal, addendum#1 dated 8/2/2004 and a blank copy of the bid specifications.

b. Payment Terms:

Per RFP

c. Delivery:

Per RFP

d. Insurance:

Yes

No

e. Performance Bond/Letter of Credit:

Yes

No

f. Procurement Specialist's Initials:

DEN

4. Contractor's Phone Numbers:

Office: 772-234-7350

Mobile:

5. Contractor's Fax Number:

772-234-7320

6. Contractor's E-Mail Address:

lkemp@synagro.com

Website:

www.synagro.com

City of Fort Lauderdale

By:

Assistant City Attorney (approved as to form)

Date:

By:

Director of Procurement Services (City Manager's Designee)
Auth: Sec. 2-180(8) of Code and Procurement Memo No. 04-03

Date:

Contractor/Vendor

Name of Company Officer (please type or print)

By:

Authorized Officer's Signature

Title:

Date: