

## **WATER AND SEWER EMERGENCY SERVICES AGREEMENT**

This Agreement (this "Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the City of Hollywood, Florida, a Florida municipal corporation hereinafter referred to as "City") and Madsen/Barr Corporation, a Florida corporation, with its principal business address located at 1211 Indian Mound Road, Wellington, Florida 33449, hereinafter referred to as "Contractor").

WHEREAS, the City of Miramar issued Invitation for Bid No. 15-003 for water and sewer emergency repair services; and

WHEREAS, on February 18, 2015, the City Commission of the City of Miramar approved the award of IFB No. 15-003 to the Contractor and to one other contractor; and

WHEREAS, the City of Miramar and the Contractor entered into a Water and Sewer Emergency Services Agreement (the "Miramar Agreement") dated February 18, 2015; and

WHEREAS, Section 38.40(C)(5) of the City's Code of Ordinances exempts from the competitive bid and competitive proposal requirements of the City's Purchasing Ordinance any procurement which is the subject of a contract with another governmental entity where the contract with the other governmental agency is based strictly on competitive bids or competitive proposals and not on any preference;

NOW, THEREFORE, in consideration of the mutual promises and understandings set forth herein, the parties hereto agree as follows:

### **ARTICLE I INCORPORATION OF RFP DOCUMENTS**

The Miramar Agreement is attached hereto and incorporated herein in its entirety. Except as otherwise provided in this Agreement, the parties shall comply with the terms and conditions set forth in the Miramar Agreement RFP Documents.

### **ARTICLE II NOTICE**

Whenever either party desires to give notice to the other, it must be given by written notice, sent by certified United States mail, return receipt requested, addressed to the party for whom it is intended, at the place last specified in writing, and the place for giving of notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice, to-wit:

**FOR CONTRACTOR:** \_\_\_\_\_  
\_\_\_\_\_

FOR CITY:

with a copy to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
City Attorney  
City of Hollywood  
2600 Hollywood Boulevard  
Suite 407  
Hollywood, Florida 33020,  
Telephone: 954 921-3435

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals the day and year first above written.

ATTEST:

CITY OF HOLLYWOOD, FLORIDA

\_\_\_\_\_  
Patricia A. Cerny, MMC  
City Clerk

By: \_\_\_\_\_  
Peter Bober, Mayor

APPROVED AS TO FORM & LEGALITY  
for the use and reliance of the City of  
Hollywood, Florida only.

\_\_\_\_\_  
Jeffrey P. Sheffel, City Attorney

MADSEN/BARR CORPORATION

WITNESSED:

By: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Name typed, printed or stamped

\_\_\_\_\_  
Name typed, printed or stamped  
Title: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Name typed, printed or stamped