

# CONTRACT SUMMARY

CITY OF FORT LAUDERDALE  
PROCUREMENT SERVICES DEPARTMENT

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<b>Period Covered:</b> 6/21/11 – 5/18/12	<b>Contract No.:</b> B-11-42 Town of Davie Co-Op	<b>Master Blanket:</b> N/A
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**Awarded Vendor:**

Alligare LLC  
13 N. 8th Street  
Opelika, AL 36801

Attn: Elaine Azzarano  
334-364-0315

Insurance Coverage Required: Yes  No   
Authorized for Purchases: Under \$25,000  Over   
City Commission Approval: 6/21/2011 Pur-04 CAR 11-0882  
Extension Options: Yes  No  Years: 1, 1 year extension

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**Horticultural Chemicals**

Category A:

Garlon 2 ½ gal – Triclopyr 3	\$ 37.95/gal
Barricade – Prodiamine 65 WG	\$ 11.75/lb

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

Procurement Specialist: AnnDebra Diaz, CPPB

THIS AGREEMENT, made and entered into this 21st day of June 2011, is by and between the City of Fort Lauderdale, a Florida municipality, ("City"), whose address is 100 North Andrews Avenue, Fort Lauderdale, FL 33301-1016, and Alligare LLC, a Delaware corporation authorized to transact business in the State of Florida ("Contractor" or "Company"), whose address and phone are 13 N. 8<sup>th</sup> Street, Opelika, AL 36801, Phone: 334-364-0315.

WHEREAS, the City issued Invitation to Bid Number B-11-42 ("ITB"), and the Contractor submitted a bid in response to the ITB; and

WHEREAS, on June 21, 2011, the City Commission of the City of Fort Lauderdale approved an agreement with Contractor for the goods or services described in the ITB (Pur-4, CAR No. 11-0882),

NOW, THEREFORE, for and in consideration of the mutual promises and covenants set forth herein and other good and valuable consideration, the City and the Contractor covenant and agree as follows:

1. The Contractor agrees to provide to the City Horticultural Chemicals in accordance with and in strict compliance with the specifications, terms, conditions, and requirements set forth in the ITB and any and all addenda thereto beginning June 21, 2011 and ending May 18, 2012.

2. This contract form G-110 Rev. 01/10, the ITB, any and all addenda to the ITB, and the Contractor's proposal in response to the ITB are integral parts of this Contract, and are incorporated herein.

3. In the event of conflict between or among the contract documents, the order of priority shall be as follows:

First, this contract form, G-110 Rev. 01/10;  
Second, any and all addenda to the City's ITB in reverse chronological order;  
Third, the ITB;  
Fourth, the Contractor's response to any addendum requiring a response;  
Fifth, the Contractor's response to the ITB.

4. The Company warrants that the goods and services supplied to the City pursuant to this Contract shall at all times fully conform to the specifications set forth in the ITB and be of the highest quality. In the event the City, in the City's sole discretion, determines that any product or service supplied pursuant to this Contract is defective or does not conform to the specifications set forth in the ITB the City reserves the right unilaterally to cancel an order or cancel this Contract upon written notice to the Contractor, and reduce commensurately any amount of money due the Contractor.

5. The Contractor shall not present any invoice to the City that includes sales tax (85-8012514506C-7) or federal excise tax (59-6000319).

6. Contractor shall direct all invoices in duplicate for payment to Finance Department, City of Fort Lauderdale, 100 N. Andrews Avenue, 6th Floor, Fort Lauderdale, FL 33301. Any applicable discount MUST appear on the invoice.

IN WITNESS WHEREOF, the City and the Contractor execute this Contract as follows:

CITY OF FORT LAUDERDALE

By: [Signature]  
Director of Procurement Services

ATTEST

By: [Signature]  
Print Name: Bruce Kirkpatrick

CONTRACTOR  
By: [Signature]  
Print Name: Jeff Welsh  
Title: President  
(If not president of corporation please attach proof of authorization to sign)

(CORPORATE SEAL)

STATE OF AL  
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of July, 2011, by JEFF WELSH as (title): PRESIDENT for Alligare LLC, a Delaware corporation authorized to transact business in the State of Florida.

(SEAL)

[Signature]  
Notary Public, State of AL  
(Signature of Notary Public)  
ELAINE E. AZZARANO  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known  OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



**Item 5:** Roundup ProMax. A non-selective herbicide used for the control or destruction of most herbaceous plants. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT. NOTE: Same as above item but different packaging.**

**Active Ingredients:**

Glyphosate, N-(phosphonomethyl) glycine 48.7%  
In the form of its potassium salt  
Inert Ingredients 51.3%

Approximate annual usage 900 gals.  
Preferred Packaging 30 gal drum *NO Bid*  
Net Unit Price \$ \_\_\_\_\_ /gal.  
Packaging: container size \_\_\_\_\_ # containers/carton  
Manufacturer and Trade Name \_\_\_\_\_

**Item 6:** Ranger Pro. A complete broad-spectrum postemergence professional herbicide for industrial, turf, and ornamental weed control. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT.**

**Active Ingredients:**

Glyphosate, N-(phosphonomethyl) glycine, 41.0%  
In the form of its isopropylamine salt  
Inert Ingredients (including surfactant) 59.0%

Approximate annual usage 200 gals.  
Preferred Packaging 2 1/2 gal container *NO Bid*  
Net Unit Price \$ \_\_\_\_\_ /gal.  
Packaging: container size \_\_\_\_\_ # containers/carton  
Manufacturer and Trade Name \_\_\_\_\_

**Item 9:** 2,4-D or approved equal. A selective herbicide used for the control of many broadleaf weeds.

Active Ingredients:  
2,4-D Dimethoxyacetic Acid 47.4%  
Inert Ingredients 52.6%

Approximate annual usage 550 gals.  
Preferred Packaging 2 1/2 gal container  
Net Unit Price \$ 12.96 /gal.  
Packaging: container size 2.5 gal cont - 2 # containers/carton

Manufacturer and Trade Name Alligare 2,4-D Amine

**Item 10:** Three-Way or approved equal. Broad spectrum weed killer used for the control of weeds in Bermuda grass.

Active Ingredients:  
Dimethylamine Salt of 2,4 dichlorophenoxyacetic acid 32.67%  
Dimethylamine Salt of 2-propionic acid 16.36%  
Dimethylamine Salt of Dicamba 2.82%  
Inert Ingredients 48.15%

Approximate annual usage 400 gals.  
Preferred Packaging 2 1/2 gal. containers  
Net Unit Price \$ --- /gal. *NO BID*  
Packaging: container size --- # containers/carton

Manufacturer and Trade Name -----

**Item 14:** Barricade or approved equal. A selective herbicide used for the control of weeds.

Active Ingredients:  
Prodiamine 65.0%  
Inert Ingredients 35.0%

Approximate annual usage 700 lbs.  
Preferred Packaging 10 lb. bag  
Net Unit Price \$ 11.75 /lb.  
Packaging: container size 5 lb. cont - 6 # containers/carton

Manufacturer and Trade Name Alligare Prodiamine 65 WQ

**Item 15:** Basagran or approved equal. A selective herbicide used for the post emergence control of many broadleaf weeds.

Active Ingredients:  
Bentazon 42.0%  
Inert Ingredients 58.0%

Approximate annual usage 150 gals.  
Preferred Packaging 1 gal. container  
Net Unit Price \$ \_\_\_\_\_ /gal.  
Packaging: container size \_\_\_\_\_ # containers/carton *NO BID*

Manufacturer and Trade Name \_\_\_\_\_

**Item 16:** Pre-M or approved equal. Pre-emergent weed killer used for the control of weeds in Bermuda grass.

Active Ingredients:  
Pendimethalin 60.0%  
Inert Ingredients 40.0%

Approximate annual usage 250 gals.  
Preferred Packaging 2 1/2 gal. container  
Net Unit Price \$ \_\_\_\_\_ /gal. *NO BID*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 20:** Trimec Plus or approved equal. A selective herbicide.

**Active Ingredients:**

Monosodium Acid Methanearsonate	18.00%
Dimethylamine Salt of 2,4-Dichlorophenoxyacetic Acid	5.83%
Dimethylamine Salt of 2-(2-methyl-4 chlorophenoxy) Propionic Acid	5.86%
Dimethylamine Salt of Dicamba (3,6 Dichloro-O-anisic acid)	1.46%
Inert Ingredients	68.85%

Approximate annual usage 150 gals.  
Preferred Packaging 2 1/2 gal. containers  
Net Unit Price \$ \_\_\_\_\_ /gal. *NO BID*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 21:** Illoxan 3EC or approved equal. A selective herbicide for postemergence control of goosegrass.

**Active Ingredients:**

Diclofop-methyl 2-[4-(2, 4-dichlorophenoxy) phenoxy] propanoate	35.49%
Inert Ingredients	64.51%

Approximate annual usage 50 gals.  
Preferred Packaging 1 gal. containers  
Net Unit Price \$ \_\_\_\_\_ /gal. *NO BID*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 22:** Asulox or approved equal. A selective herbicide for postemergent weed control in turf, ornamentals, reforestation areas and non-cropland.

**Active Ingredients:**

Sodium salt of asylum (methyl sulfanyl carbamate)	36.27%
Inert Ingredients	63.73%

Approximate annual usage 50 gals.  
Preferred Packaging 2 1/2 gal. containers  
Net Unit Price \$ \_\_\_\_\_ /gal.  
Packaging: container size \_\_\_\_\_ # containers/carton *NO BID*

Manufacturer and Trade Name \_\_\_\_\_

**Item 26:** Revolver or approved equal. A herbicide for the control of annual and perennial grasses in bermudagrass, zoysiagrass, and buffalograss.

Active Ingredients:  
foramsulfuron 2.34%  
Inert Ingredients 97.66%

Approximate annual usage 300 gals.  
Preferred Packaging 87 oz. containers  
Net Unit Price \$ \_\_\_\_\_ /oz. *No Bio*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 27:** Certainty or approved equal. A selective herbicide for the control of annual and perennial grasses and broadleaf weeds in highly managed turf sites.

Active Ingredients:  
Sulfosulfuron 75.00%  
Inert Ingredients 25.00%

Approximate annual usage 50 oz.  
Preferred Packaging 1.25 oz. bottles  
Net Unit Price \$ \_\_\_\_\_ /1.25 oz. bottle *No Bio*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 28:** Cutless 0.33G or approved equal. A systemic landscape growth regulator for terminal growth suppression in woody ornamental plants and perennial ground covers, resulting in a more compact growth form and reduced trimming.

Active Ingredients:  
Flurprimidol: (1-methylethyl) ((4-trifluoromethoxy)  
Phenyl)-5-pyrimidinemethanol 0.33%  
Inert Ingredients 99.67%

Approximate annual usage 450 lbs.  
Preferred Packaging 21 lb. bucket  
Net Unit Price \$ \_\_\_\_\_ /lb. *No Bio*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 32:** Pennant Magnum or approved equal. Weed control in nurseries, turf, and landscape plantings.

Active Ingredients:  
5-metolachlor 83.7%  
Inert Ingredients 16.3%

Approximate annual usage 100 gal.  
Preferred Packaging 1 gal containers *NO BID*  
Net Unit Price \$ \_\_\_\_\_ /gal.  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**CATEGORY B (INSECTICIDES/PESTICIDES)**

**Item 1:** Orthene .97 or approved equal. An insecticide used for the control of mole crickets.

Active Ingredients:  
Acephate 75.0%  
Inert Ingredients 25.0%

Approximate annual usage 800 lbs.  
Preferred Packaging 7.73 lb. bag *NO BID*  
Net Unit Price \$ \_\_\_\_\_ /lb.  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 2:** Sevin SL or approved equal. An insecticide used for the control of sod webworms, armyworms, grassloopers, white grubs and billbugs.

Active Ingredients:  
Carbaryl 43.0%  
Inert Ingredients 57.0%

Approximate annual usage 100 gals.  
Preferred Packaging 2 1/2 gal. container *NO BID*  
Net Unit Price \$ \_\_\_\_\_ /gal.  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_



**Item 11:** Dylox 6.2 granular or approved equal. Granular control of white grubs, mole crickets, sod webworms and cutworms, and other pests of turfgrass.

**Active Ingredients:**

Trichlorfon, Dimethyl (2,2,2-trichloro-1-hydroxy-ethyl) phosphonate 6.2%  
Inert Ingredients 93.8%

Approximate annual usage 1,000 lbs.  
Preferred Packaging 30 lb. bags  
Net Unit Price \$ \_\_\_\_\_ /lbs.  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_ *NO BID*

**CATEGORY C (FUNGICIDES)**

**Item 1:** Daconil wether stick or approved equal. Fungicide used for the control of diseases in turf grass.

**Active Ingredients:**

Chlorothalonil (Tetrachloroisophthalonitrile) 54.0%  
Inert Ingredients 46.0%

Approximate annual usage 250 gals.  
Preferred Packaging 2 1/2 gal. container  
Net Unit Price \$ \_\_\_\_\_ /gal. *NO BID*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 2:** Subdue or approved equal. Fungicide used to control pythium blight and pythium root rot.

**Active Ingredients:**

Metalaxyl 25.1%  
Inert Ingredients 74.9%

Approximate annual usage 100 gals.  
Preferred Packaging 1 gal. container *NO BID*  
Net Unit Price \$ \_\_\_\_\_ /gal.  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 6: Eagle 20EW.** A systemic protectant and curative fungicide for disease control in established turfgrass, landscape ornamentals, and greenhouse and nursery ornamentals. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT.**

**Active Ingredients:**

Myclobutanil: a-butyl-a-(chlorophenyl)-1H-1, 2,4, triazole-1-propanenitrite 19.7%  
Inert Ingredients 80.3%

Approximate annual usage 200 pts.  
Preferred Packaging 1 pint container  
Net Unit Price \$ \_\_\_\_\_ /oz. *100 BID*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

**Item 7: Fore 80WP.** A fungicide used on golf courses. **NO SUBSTITUTIONS WILL BE ACCEPTED FOR THIS PRODUCT.**

**Active Ingredients:**

Mancozeb: A coordination product of zinc ion and Manganese ethylene bisdithiocarbamate 80.0%  
In which the ingredients are:  
Manganese 16.0%  
Zinc 2.00%  
Ethylene bisdithiocarbamate ion 62.0%  
Inert Ingredients 20.0%

Approximate annual usage 200 lbs.  
Preferred Packaging 1.5 lb. container  
Net Unit Price \$ \_\_\_\_\_ /oz. *NO BID*  
Packaging: container size \_\_\_\_\_ # containers/carton

Manufacturer and Trade Name \_\_\_\_\_

Client#: 83286

62ALLIGARELL

ACORD™

**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)  
4/08/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> J Smith Lanier & Co of Opelika P. O. BOX 828 Opelika, AL 36803 334 749-3401	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 334 749-3401	FAX (A/C, No): 3347458785
	<b>E-MAIL ADDRESS:</b> PRODUCER CUSTOMER ID #:	
<b>INSURED</b> Alligare, LLC 13 North 8th Street Opelika, AL 36801	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Hartford Fire Insurance Co.	NAIC # 19682
	<b>INSURER B:</b> Twin City Fire Insurance Co.	29459
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	


**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC			21SBAIN1480	11/21/2010	11/21/2011	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			21SBAIN1480	11/21/2010	11/21/2011	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
A	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 10000			21SBAIN1480	11/21/2010	11/21/2011	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	Y	21WECNO6292	01/01/2011	01/01/2012	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

(See Attached Descriptions)

<b>CERTIFICATE HOLDER</b> Town Of Davle 6591 Orange Drive Davle, FL 33314-3399	<b>CANCELLATION</b> 10 Days for Non-Payment SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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