

THIS AGREEMENT, made and entered into this ____ day of _____, 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 Envirocycle, Inc., a Florida corporation, ("Contractor" or "Company"), whose address and phone are 849 SW 21 Terrace, Fort Lauderdale, FL 33312, Phone: 954-327-9580, Fax: 954-584-1453.

WHEREAS, the City issued Invitation to Bid Number 612-10699 ("ITB"), and the Contractor submitted a bid in response to the ITB; and

WHEREAS, on April 20, 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-10, CAR No. 11-0562),

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 bulk trash separation, recycling and disposal services 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 May 1, 2011, and ending April 30, 2014.

2. This contract form G-110 Rev. 01/10, the ITB, any and all addenda to the ITB and the Contractor's response thereto, 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 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.

7. For purposes of this Agreement, the City and Contractor agree that the ITB is modified as set forth on Schedule 1 attached to this Agreement.

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

CITY OF FORT LAUDERDALE

By: *Paul T. Walker*
Director of Procurement Services

Approved as to form:

Paul Boucher
Senior Assistant City Attorney

CONTRACTOR

By: *Robert P. Boucher*
Robert P. Boucher
President

ATTEST

Eileen B. Schuler
Eileen B. Schuler
Secretary

(CORPORATE SEAL)

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2011, by Robert P. Boucher as president for Envirocycle, Inc., a Florida corporation.

(SEAL)

Notary Public, State of _____
(Signature of Notary)

(Print, Type, or Stamp Commissioned Name
of Notary Public)

Personally Known _____ OR Produced ID _____
Type of ID Produced _____

Schedule 1

1. Page 8, Section 1.21, First Paragraph: Delete "and Professional Liability Insurance".
2. Page 8, Section 1.21, First Paragraph: Delete the fifth sentence that reads as follows: "This MUST be written in the description section of the insurance certificate, even if you have an check off box on your certificate."
3. Page 27, Section 4.02, Second Paragraph: Delete the word "original".
4. Page 27, Section 4.02, Second Paragraph: Add the following to the end of the third sentence: "(Contractor will provide notification of any such material change)".

**CONTRACT
COPY**

All Service Refuse

Bid Contact **Damon Stinson**
stinsond@repsrv.com
Ph 954-327-9513
Fax 954-327-9543

Address **751 NW 31st Ave**
Fort Lauderdale, FL 33311

Item #	Line Item Notes	Unit Price	Qty/Unit	Total Price	Atch.	Docs
612-10699-1-01	Mixed Debris Separation, Recycling and Disposal Supplier Product Code: Please see attachment B response and Certificate of Insurance.	First Offer - \$44.99	14000 / ton	\$629,860.00	Y	Y
612-10699-1-02	Clean Yard Waste Separation, Recycling and Disposal Supplier Product Code: Please see necessary attachments	First Offer - \$27.99	21000 / ton	\$587,790.00	Y	Y
Supplier Total				\$1,217,650.00		

All Service Refuse

Item: **Mixed Debris Separation, Recycling and Disposal**

Attachments

Envirocycle Response to the City of Ft Lauderdale Attachment B.doc

EvidenceOnlyAcord25-2010-05.pdf

- *Car bumper skins- Proximity Mfg, Hialeah, Florida*

6. The proposed solid waste disposal sites and equipment available for the handling, loading and transportation of residue materials not accepted for recycling purposes.

Proposed disposal sites for un-recoverable materials include the following:

- *Process able Residual Material- Wheelabrator, Fort Lauderdale, Florida*
- *Unprocessable Residual Class III Material- Waste Management, Okeechobee, Florida and Cedar Trail Landfill, Bartow, Florida*

7. Equipment available and utilized for the handling, loading and transporting of residual material not accepted for recycling purposes.

- *Handling & Loading- Caterpillar 325 Hydraulic excavator or John Deere 624 Wheel loader.*
- *Transportation- Diesel road tractors and 100 cubic yard walking floor transfer trailers along with open-top industrial roll-off containers.*

8. Any additional information the bidders wish to have reviewed.

EnviroCycle's convenient location is only 1.7 miles from 1300 Broward Blvd and as model corporate citizen has operated for nineteen years without any county citations.

EnviroCycle's safety culture has been exemplary, with three years without an accident or injury. The pride of EnviroCycle's team is on display daily from the safe, friendly and clean facility to the efficient off loading of every truck through the facility in a timely manner.

In support of Florida's recycling goals, EnviroCycle's Green Team has demonstrated the ability to continually develop recycling options or beneficial reuse on materials that have long been considered NOT recyclable.

With all efforts focused on Florida's recycling goals and cost savings to Broward County, EnviroCycle would entertain a "Single Stream" system that would enable both Green Waste and Bulk Waste to be commingled.

All Service Refuse

Item: Clean Yard Waste Separation, Recycling and Disposal

Attachments

Env-Bureau of Weights and Measures.jpg

Env-Hazardous Material Facility Permit.jpg

Env-Recovered Materials Dealer Cert.jpg

Env-Solid Waste Permit.jpg

Env-Tax Cert.jpg



**Florida Department of Agriculture
and Consumer Services**
Bureau of Weights and Measures

Bid 612-10699
Inspections co:
under the auth
Section 531
531.53.
Florida Sta

CHARLES H. BRONSON
COMMISSIONER

3125 Conner Blvd, Mail Stop L2, Tallahassee, FL 32399-1650 Phn (850) 488-9140

Device Inspection Summary Report

Insp Date: 12/10/2010 Business ID: 002375
Business: ENVIROCYCLE INC
849 SOUTHWEST 21ST TERRA
FT LAUDERDALE, FL 33312

Inspection: BC004308
Store #:
Phone: 954-792-8177
Inspector: 026 BOBBY MARONEY
Reason: Retest

Make: FAIRBANKS
Model: IND-HR2500-F1 Type: Vehicle Scale
Serial: 051710150005 SubType: Electronic

Days to repair: Results: Approved
Seal:
Insp Type: Acceptance

Billing Address:
849 SOUTHWEST 21ST TERRA
FT LAUDERDALE, FL 33312

Notes:

Bobby Maroney
Official
Feb 23, 2011 2:34:47 PM EST

[Signature]
Acknowledged Receipt

HAZARDOUS MATERIAL MANAGEMENT
FACILITY LICENSE

Bid 612-10699

License Number: HM-00077-10

Applicant:
John J. Schultz, Operations Manager
Envirocycle, Inc.
849 SW 21 TER
Fort Lauderdale, FL 33312

Facility Number: 00077
Envirocycle, Inc.
849 SW 21ST TER
Fort Lauderdale, FL 33312

This license is issued under the provisions of Chapter 27 of the Broward County Code of Ordinances hereinafter called Code. The above-named applicant, hereinafter called Licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawings, plans, documents, and specifications submitted by the Licensee and made a hereof and described specifically below. The issuance of this license is a final agency determination. A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination subject to the provisions of Section 27-14, Broward County Code of Ordinances. If no objection to this license is received within 14 days, the Licensee will be deemed to have accepted it and all the attached terms and conditions.

ALL GENERAL CONDITIONS and SPECIFIC CONDITIONS, on the back of the license or as attached, are considered to constitute the requirements of this license. The Licensee is required to fully comply with all these conditions. Any failure to comply with conditions or requirements as set forth may result in revocation or suspension of this license and may subject the Licensee to enforcement action in accordance with the provisions of Article 1, Division 4 of the Code.

Nature of Business: Materials Recovery Facility

Hazardous Waste Stream: Petroleum Products, Solvents, Batteries

Well Field: N/A

Septic: Yes

IMPORTANT: THIS LICENSE IS ISSUED ONLY TO THE LICENSEE FOR THE FACILITY ADDRESS IDENTIFIED ABOVE. IF THE FACILITY MOVES, CLOSSES, OR HAS A CHANGE IN LICENSEE OR ACTIVITY, THE LICENSEE MUST:

- * Transfer license to a new owner or operator
- * Submit written notification thirty (30) days prior to closing the facility
- * Properly remove and/or dispose of all hazardous materials when closing a facility
- * Submit application for each hazardous material management facility location(s) in Broward County
- * Submit application, secure approval, and call (954) 519-1260 for inspection, prior to installing or modifying storage tanks.
- * Submit application, secure approval, and call (954) 519-1260 for inspection, prior to removing or moving storage tanks
- * Properly maintain storage tanks and the associated license until all tanks are properly closed

Application Received: May 18, 2010
Effective Date: Jun 01, 2010
Expiration Date: May 31, 2012
Prepared By: Claude Wilson

Claude E. Wilson

Renewal Application Due: Apr 01, 2012
Feb 23, 2011 2:34:47 PM EST

BidSync, LLC

Pollution Prevention, Remediation and Air Quality Division
www.broward.org/environment

(PLEASE SEE LICENSE CONDITIONS ON THE



City of Fort Lauderdale

State of Florida
Department of
Environmental Protection

Bid 612-10699

Recovered Materials Dealer Certification
2010-2011

The Florida Department of Environmental Protection verifies that the below named Company reports certain recycling information and is certified in accordance with Chapter 62-722, Florida Administrative Code.

Envirocycle Inc.

Ron Henricks, Environmental Manager
Waste Reduction Section
Bureau of Solid & Hazardous Waste
Division of Waste Management

Application Number: 186
849 SW 21st Terrace
Fort Lauderdale, FL 33312

Valid from July 1, 2010 to June 30, 2011 unless suspended or revoked by the Department
See reverse side for other reporting facilities covered by this certification



SOLID WASTE MANAGEMENT LICENSE

EPD License Number: SW-WP00077-07
DEP Permit Number: SO-053853-004
I.D. Number: 00054712

APPLICANT:

Dale Henderson, General Manager
 Envirocycle, Inc.
 849 SW 21 TER
 Fort Lauderdale, FL 33312
 Phone: (954) 792-8177

FACILITY NAME/ADDRESS:

Envirocycle, Inc.
 849 SW 21ST TER
 Fort Lauderdale, FL 33312
OPERATOR: Envirocycle, Inc.
ATTN: Dale Henderson, General Manager

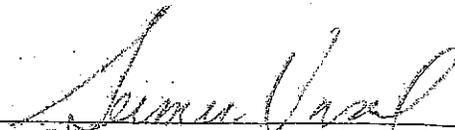
This license is issued under provisions of Chapter 27 of the Broward County Code of Ordinances hereinafter called the Code. The above-named applicant, hereinafter called Licensee, is hereby authorized to perform the work or operate the facility shown on the approved drawings, plans, documents, and specifications submitted by Licensee and made a part hereof and described specific below. If no objection to this license is received within 14 days, you will be deemed to have accepted it and all the attached terms and conditions.

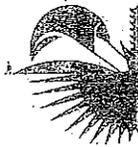
ALL GENERAL CONDITIONS and SPECIFIC CONDITIONS, as attached, are considered to constitute the requirements of this license. The Licensee is required to fully comply with all these conditions. Any failure to comply with conditions or requirements as set forth may result in revocation or suspension of this license and may subject the Licensee to enforcement action in accordance with provisions of Article 1, Division 4 of the Code.

NATURE OF BUSINESS: Waste Processing Facility

DESCRIPTION: A 1200 tons per day waste processing facility for the receipt of construction and demolition debris, commercial waste, industrial waste, bulky waste and yard trash. The materials are sorted into recyclable constituents including; cardboard, ferrous and non-ferrous metals, wood, glass and plastic. All operations shall take place inside the 2 buildings located on site.

Prepared By: Steve Schwerstein
Application Received: 03/06/2007
Date of Issue: 08/21/2007
Renewal App. Due: 03/01/2012
Expiration Date: 04/30/2012


 Environmental Protection Department



City of America

City of Fort Lauderdale

Bid 612-10699

**CITY OF
FORT LAUDERDALE BUSINESS TAX YEAR 2010 - 2011**

BUSINESS TAX DIVISION
700 NW 19 AVENUE, FORT LAUDERDALE, FLORIDA 33311
(954)828-5195

Business ID: 540328 Business Name: ENVIROCYCLE INC Fee: 157.50
Business Address: 849 SW 21 TER
UNCLASSIFIED Tax#: 540328

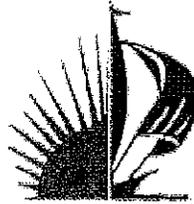
ENVIROCYCLE INC
ENVIROCYCLE INC
849 SW 21 TER
FORT LAUDERDALE, FL 33312

Feb 23, 2011 2:34:47 PM EST ***DETACH AND POST THIS RECEIPT IN A CONSPICUOUS PLACE***

***CITY OF FORT LAUDERDALE
SPECIFICATIONS PACKAGE***

612-10699

**Bulk Trash Separation, Recycling and Disposal
Services**



CITY OF FORT LAUDERDALE

Rick Andrews

954-828-4357

your response)

(1) COMPANY/MUNICIPALITY: City of Ft. Lauderdale

ADDRESS: 100 North Andrews Ave Ft Lauderdale Fl

PHONE :

& CONTACT: Rick Andrews 954-828-4357 Loretta Cronk 954-828-5054

DESCRIPTION OF

SERVICES: Bulk Trash and Green Waste Recycling and Disposal

DATE OF COMMENCEMENT & TERM OF

CONTRACT: May 1 2007 2 years with (4) 1 year extensions

(2) COMPANY/MUNICIPALITY:

ADDRESS:

PHONE &

CONTACT:

DESCRIPTION OF

SERVICES:

DATE OF COMMENCEMENT & TERM OF

CONTRACT:

If no, will you be able to obtain within thirty (30) days of notification by the City of their intent to award?

Checklist:

Have you prepared and submitted Attachment B, a complete description of the information as required in **Section 15, SEPARATION AND RECYCLING PROGRAM of PART II – SCOPE OF**

SERVICES /SPECIFICATIONS? Yes

Submit copies of all applicable permits and licenses you presently hold? Yes

If you are submitting your original bid directly to the City of Fort Lauderdale and not through BidSync, have you included an original and 1 copy of your bid response? Yes

AUTHORIZED SIGNATURE Jim Powers

PRINT NAME Jim Powers

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.

<u>NAME</u>	<u>RELATIONSHIPS</u>
N/A	N/A
N/A	N/A
	N/A
	N/A

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

How to submit bids/proposals: It is preferred that bids/proposals be submitted electronically at www.bidsync.com, unless otherwise stated in the bid packet. If mailing a hard copy, it will be the sole responsibility of the Bidder to ensure that the 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 BidSync, 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. All fields below **must** be completed. If the field does not apply to you, please note N/A in that field.

Submitted by: **Jim Powers 2/23/2011**
(signature) (date)

Name (printed): **Jim Powers** Title: **Controller**

Company: (Legal Registration) **Envirocycle, Inc.**

CONTRACTOR, IF FOREIGN CORPORATION, MAY 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/>).

Address: **849 SW 21 Terrace**

City: **Fort Lauderdale** State: **FL** Zip: **33312**

Telephone No. **954-327-9580** FAX No. **954-584-1453**

Email: **POWERSJ@REPUBLICSERVICES.COM**

Delivery: Calendar days after receipt of Purchase Order (section 1.02 of General Conditions): **0**

Payment Terms (section 1.03): **NET 30 DAYS**

Total Bid Discount (section 1.04): **0**

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 the proposal:

<u>Addendum No.</u>	<u>Date Issued</u>
1	2/18/2011

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. **HAVE YOU STATED ANY VARIANCES OR EXCEPTIONS BELOW? BIDDER MUST CLICK THE EXCEPTION LINK IF ANY VARIATION OR EXCEPTION IS TAKEN TO THE SPECIFICATIONS, TERMS AND CONDITIONS.** If this section does not apply to your bid, simply mark N/A in the section below.

Variances: **n/a**
revised 3-23-10