

## AGREEMENT

THIS AGREEMENT is hereby made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, (the "effective date") by and between the City of Delray Beach, a Florida municipal corporation ("City"), whose address is 100 N.W. 1<sup>st</sup> Avenue, Delray Beach, Florida 33444, and CONTINENTAL CONSTRUCTION, USA, LLC., a corporation (hereafter referred to as "Contractor"), whose address is 95 Merrick Way, Suite 480. Coral Gables, FL, 33134.

WHEREAS, the City desires to retain the services of the Contractor to provide the goods and services in accordance with the City's Invitation to Bid Construction No. 2019-005, and the Contractor's response thereto, all of which are incorporated herein by reference.

NOW, THEREFORE, in consideration of the mutual covenants and promises hereafter set forth, the Contractor and the City agree as follows:

### ARTICLE 1. INCORPORATION OF INVITATION TO BID CONSTRUCTION

The terms and conditions of this Agreement shall include and incorporate the terms, conditions, and specifications set forth in the City's Invitation to Bid Construction No. 2018-009, and the Contractor's response to the Invitation to Bid Construction, including all documentation required thereunder.

### ARTICLE 2. DESCRIPTION OF GOODS OR SCOPE OF SERVICES

The Contractor shall provide the goods and/or perform those services identified in the specifications accompanying the City's Invitation to Bid Construction, which are incorporated herein by reference.

### ARTICLE 3. COMPENSATION

The City shall pay to the Contractor, in compliance with the Pricing Schedule attached hereto and incorporated herein, according to the terms and specifications of the referenced Invitation to Bid Construction.

### ARTICLE 4. MISCELLANEOUS PROVISIONS

a. Notice Format. All notices or other written communications required, contemplated, or permitted under this Agreement shall be in writing and shall be hand delivered, telecommunicated, or mailed by registered or certified mail (postage prepaid), return receipt requested, to the following addresses:

- i. As to the City:
  - City of Delray Beach
  - 100 N.W. 1<sup>st</sup> Avenue
  - Delray Beach, Florida 33444
  - Attn: Acting City Manager
  - Email: dejesusn@mydelraybeach.com

- ii. with a copy to: City of Delray Beach  
100 N.W. 1<sup>st</sup> Avenue  
Delray Beach, Florida 33444  
Attn: City Attorney  
Email: gelinl@mydelraybeach.com
  
- iii. As to the Contractor: Continental Construction USA, LLC  
95 Merrick Way, Suite 480  
Coral Gables, FL, 33134  
Attn: Juan Carlos Jurado  
Email: info@usacontinental.com

b. Headings. The headings contained in this Agreement are for convenience of reference only, and shall not limit or otherwise affect in any way the meaning or interpretation of this Agreement.

c. Effective Date. The effective date of this Agreement shall be as of the date it has been executed by both the parties hereto.

ARTICLE 5. CONTRACT TERM

This term of this Agreement shall be from the effective date through the completion of work and full acceptance by the City, unless terminated earlier in accordance with terms set forth in the ITBC.

(Remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates hereinafter written.

CITY OF DELRAY BEACH, FLORIDA

[SEAL]

By: \_\_\_\_\_  
Neil de Jesus, Interim City Manager

ATTEST:

By: \_\_\_\_\_  
Katerri Johnson, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_  
Lynn Gelin, City Attorney

CONTRACTOR  
By: \_\_\_\_\_  
Print Name: Juan Carlos Jurado  
Title: General Manager

(SEAL)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 3 day of April, 2019, by Juan Carlos Jurado, as General Manager (name of officer or agent, title of officer or agent), of Continental Construction USA, LLC (name of corporation acknowledging), a Florida (state or place of incorporation) corporation, on behalf of the corporation He/ She is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.



**Stefanie Martillo Rodas**  
COMMISSION # GG 192059  
EXPIRES: March 4, 2022  
Bonded Thru Aaron Notary

Stefanie Martillo Rodas  
Notary Public – State of \_\_\_\_\_