



CITY OF DELRAY BEACH
100 NW 1st AVENUE, DELRAY BEACH, FL 33444

AGREEMENT BETWEEN CITY OF DELRAY BEACH AND MBR
CONSTRUCTION, INC. FOR CONSTRUCTION OF
100' CHRISTMAS TREE FOUNDATION (913-48)
SOLICITATION NO. ITBC 2017-060
PROJECT NO. 17-062

AGREEMENT

THIS AGREEMENT is hereby made and entered into this ____ day of August, 2017, (the "effective date") by and between the City of Delray Beach, a Florida municipal corporation ("City"), whose address is 100 N.W. 1st Avenue, Delray Beach, Florida 33444, and MBR Construction, Inc., a Florida corporation (hereafter referred to as "Contractor"), whose address is 1020 NW 51st Street, Fort Lauderdale, FL 33309.

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. 2017-060, 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. 2017-060 and any addendum thereto (Exhibit A), and the Contractor's response to the Invitation to Bid Construction, including all documentation required thereunder (Exhibit B), all of which shall be attached hereto and incorporated herein.

ARTICLE 2. DESCRIPTION OF GOODS OR SCOPE OF SERVICES

The Contractor shall provide the goods and/or perform those services set forth in Exhibit A.

ARTICLE 3. COMPENSATION

The City shall pay to the Contractor, in compliance with the Pricing Schedule that was included in the Contractor's Bid, according to the terms and specifications of the referenced in Exhibit B.

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. 1st Avenue
Delray Beach, Florida 33444
Attn: City Manager

- ii. with a copy to: City of Delray Beach
100 N.W. 1st Avenue
Delray Beach, Florida 33444
Attn: City Attorney

- iii. As to the Contractor: MBR Construction, Inc
1020 NW 51st Street
Ft Lauderdale, FL33309
Attn.: Michael R. Boss
Email: mboos@mbrconstrution.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 final completion and acceptance of the work by the City. Contractor shall have forty-five (45) days from the issuance of the Notice to Proceed to final completion unless terminated earlier in accordance with terms set forth in Exhibit A.

(Remainder of this page is intentionally left blank.)

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

[SEAL]

CITY OF DELRAY BEACH, FLORIDA

By: _____
Cary D. Glickstein, City Mayor

ATTEST:

By: _____
Katerri Johnson, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
R. Max Lohman, City Attorney

CONTRACTOR _____,

By: _____

Print Name: _____

Title: _____

WITNESS:

By: _____

Print Name: _____

By: _____

Print Name: _____

ITBC 2017-060
Project No. 17-062

Exhibit A
ITBC 2017-060

Exhibit B

Contractor's Response ITBC 2017-060 and other required documents