



CITY OF DELRAY BEACH  
100 NW 1<sup>st</sup> AVENUE, DELRAY BEACH, FL 33444

SOLICITATION NO. 2018-006

LANDSCAPE MAINTENANCE AGREEMENT FOR WEST ATLANTIC  
AVENUE (CSX RAILROAD TO MILITARY TRAIL) WITH  
L.V. SUPERIOR LANDSCAPING, INC.

## LANDSCAPE MAINTENANCE AGREEMENT

**THIS AGREEMENT** is made by and between the City of Delray Beach, a Florida municipal corporation (hereinafter referred to as "City"), whose address is 100 N.W. 1<sup>st</sup> Avenue, Delray Beach, FL 33444 and L.V. Superior Landscaping, Inc. (hereinafter referred to as Contractor), a Florida corporation whose address is 16059 Okeechobee Blvd. Loxahatchee, Florida 33470, this \_\_\_\_ day of January, 2018 (the "effective date").

### WITNESSETH:

**WHEREAS**, the City issued a solicitation ITB No. 2018-006 to provide landscape maintenance;

**WHEREAS**, Contractor submitted a response to the solicitation dated November 9, 2017.

**WHEREAS**, the City desires to purchase products and services from Contractor subject to the terms and conditions of ITB No. 2018-006, and Contractor's Bid response to Solicitation No. 2018-006.

**NOW, THEREFORE**, for and in consideration of mutual promises contained herein and other good and valuable consideration, of which the parties do hereto acknowledge, the parties agree as follows:

### ARTICLE 1. INCORPORATION OF INVITATION TO BID

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 No. 2018-006, and the Contractor's response to the Invitation to Bid, 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, 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. The estimated annual contract amount is not-to-exceed twenty-five thousand nine hundred eighty-two dollars (\$25,982.).

### ARTICLE 4. MISCELLANEOUS PROVISIONS

a. Notice Format. Whenever either Party desires to give notice to the other, such notice must be in writing, sent by overnight courier/commercial delivery (such as FedEx, UPS, etc...) with signature confirmation of receipt or by hand delivery with signature confirmation of receipt, addressed to the party for whom it is intended at the place last specified. The place for giving notice shall remain the same as set forth herein until changed in writing in the manner provided in this section. For the present, the Parties designate the following:

- i. As to the City: City of Delray Beach, Florida  
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 Contractor: L.V. Superior Landscaping, Inc.  
16059 Okeechobee Blvd.  
Loxahatchee, Florida 33470  
Attn: Lueilo Vasquez, President

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.

#### ARTICLE 5. CONTRACT TERM

The term of this Agreement shall commence on the effective date and shall continue in full force and effect for a term of three (3) years. This Agreement may be renewed by the City Manager for up to two (2) additional years.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the City and L.V. Superior Landscaping, Inc. executed this Agreement as of the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH

Katerri Johnson, City Clerk

BY:

Cary D. Glickstein, Mayor

Approved as to form for legal sufficiency:

R. Max Lohman, City Attorney

CONTRACTOR

By:

Lucilo Vasquez, President



(SEAL)

STATE OF FLORIDA  
COUNTY OF PALM BEACH COUNTY

The foregoing instrument was acknowledged before me this 10 day of December, 2017, by Lucilo Vasquez, as President (name of officer or agent, title of officer or agent), of L.V. Superior Landscaping (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

Notary Public – State of Florida

