

**CITY OF COCONUT CREEK AGREEMENT
FOR SOLID WASTE DISPOSAL SERVICES
(Piggyback Competitive Award)**

This Agreement is made this _____ day of _____, 2018, between the City of Coconut Creek, a municipal corporation organized and existing under the laws of the State of Florida and whose address is 4800 West Copans Road, Coconut Creek, Florida 33063 (the "City"), and Waste Connections of Florida, Inc. (the "Contractor"), whose address is 3840 NW 37th Court, Miami, FL 33142.

WITNESSETH

WHEREAS, the Contractor wishes to enter this Agreement ("Agreement") with the City to provide Commingled Waste and Construction and Demolition Debris disposal services to the City; and

WHEREAS, the parties wish to incorporate the terms and conditions of the solicitation ITB No. 2017-18/13 as amended and contractual arrangement between the City of Deerfield Beach, Florida and the Contractor as set forth in the City of Deerfield Beach agreement attached hereto and incorporated herein as Exhibit "A" ("Deerfield Agreement"); and

WHEREAS, the City Code provides authority for the City to select and contract through the use of the competitive bid process of another government entity as an exception to the otherwise required formal bidding process.

NOW THEREFORE, in consideration of the mutual covenants set forth in this Agreement, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

Section 1. Contract Terms. The Contractor agrees to provide the City Commingled Waste and Construction and Demolition Debris disposal services as set forth in the Deerfield Agreement (Exhibit "A"), which terms are incorporated into this Agreement for all purposes and represent the entire agreement between the parties. In the event of conflict between or among this Agreement and the terms and conditions of the Deerfield Agreement, the order of priority shall be: this Agreement, and the Deerfield Agreement.

The following additional provisions are included:

- A. The "City of Coconut Creek" shall be deemed substituted for "City of Deerfield Beach, Florida" with regard to any and all provisions of the City of Deerfield Agreement, including by example, and not limitation, with regard to bond requirements, additional insureds on all required insurance, indemnification, licensing, termination, default and ownership of documents. All recitals, representations, and warranties of Contractor made in the Deerfield Agreement (including Contractor's proposal) are restated as if set forth fully herein, made for the benefit of the City, and incorporated herein.

Section 2. Notice. Notice hereunder shall be provided in writing by certified mail, return receipt requested, or customarily used overnight transmission with proof of delivery, to the following parties, with mandatory copies as provided below:

For City: City Manager
 City of Coconut Creek, FL

Copy to: 4800 West Copans Road, Coconut Creek, FL 33063
City Attorney
City of Coconut Creek, FL
4800 West Copans Road, Coconut Creek, FL 33063

For Contractor: Waste Connections of Florida
1099 Miller Drive
Altamonte Springs, FL 32701
Attn: Division Vice President

Copy to: Waste Connections, Inc.
Legal Department
3 Waterway Square Place
The Woodlands, TX 77380

Section 3. Severability. This Agreement sets forth the entire agreement between Contractor and the City with respect to the subject matter of this Agreement. This Agreement supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties. This Agreement may not be modified except by the parties' mutual agreement set forth in writing and signed by the parties.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this Agreement upon the terms and conditions above stated on the day and year first above written.

THE CITY OF COCONUT CREEK

ATTEST:

Leslie Wallace May
City Clerk

By: _____
Mary C. Blasi, City Manager

Dated: _____

Approved as to form and legal sufficiency:

Terrill C. Pyburn, City Attorney

Date

CONTRACTOR

By: _____

WITNESS: _____

PRINT NAME

PRINT NAME

TITLE

DATE: _____

DATE: _____