

AGREEMENT

THIS Agreement, made this _____ day of March, 2017 by and between the CITY OF WOODBURY, hereinafter called "OWNER" and Robert H. Hoover & Sons, Inc. doing business as (an individual) (a corporation) (~~a partnership~~) hereinafter called "CONTRACTOR."

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR shall commence and complete the PROJECT – **"PURCHASE OF A 2017 FREIGHTLINER MODEL 108SD CAB AND CHASSIS WITH HOOK LIFT AND CONTAINER BODY"**
2. The CONTRACTOR shall furnish all the material, supplies, tools, equipment, labor, and other services necessary for the delivery of the 2017 Freightliner Model 108SD Cab and Chassis with Hook Lift and Container Body and appurtenances as described herein.
3. The CONTRACTOR shall commence with the work required by the CONTRACT DOCUMENTS immediately after the date of the NOTICE TO PROCEED and will complete the same within **270 calendar days (including holidays)**, unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS. Liquidated damages will be assessed in the amount of **\$500.00** per calendar day if the delivery and demonstration is not complete within **270 calendar days**, as specified in the General Conditions.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the following sum as shown in the BID SCHEDULE (see attached Exhibit 'A'): \$ 291,447.00.
5. The CONTRACTOR agrees to limit the times of coordination, delivery and discussion as follows:

Monday through Friday 8 a.m. to 3 p.m.
6. The term "CONTRACT DOCUMENTS" means and includes the following:
 - (a) Notice to Bidders
 - (b) Proposal Section
 - (c) BID
 - (d) Surety's Consent
 - (e) BID BOND

CITY OF WOODBURY
2017 HOOK LIFT CONTAINER TRUCK

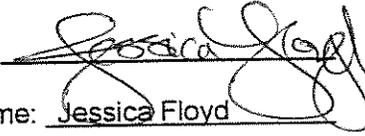
- (f) Qualification Form and Experience, Equipment, & Financial Statement
- (g) Public Works Contractor Registration Certificate
- (h) Business Registration Certificates
- (i) Agreement
- (j) General Conditions
- (k) Supplemental General Conditions
- (l) NOTICE OF AWARD & NOTICE TO PROCEED
- (m) SPECIFICATIONS prepared by **FEDERICI & AKIN, P.A.**, dated December 21, 2016
- (n) Addendum No. None (if none, print "None")
- (o) Progress Schedule
- (p) Any other written instructions or interpretations by the ENGINEER or OWNER

7. The OWNER shall pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions, such amounts as required by the CONTRACT DOCUMENTS. The CONTRACTOR specifically agrees to the provisions for Liquidated Damages as referred.
8. The CONTRACTOR shall, in addition to naming the OWNER, etc. as insured under the various insurance requirements, shall also include the ENGINEER, Federici & Akin, P.A., Joseph P. Federici, Jr., and Douglas E. Akin; and its employees, and officers as additionally insured.
9. **CONTRACTOR agrees that for the purpose of this Agreement, no work shall commence until all policies of insurance; bond or letter of credit, and other sureties shall be posted with the OWNER and duly approved by the OWNER's Solicitor. Accordingly, the CONTRACTOR shall prepare, at the time of submission of said documents, a "transmittal agenda" enumerating all such items required.**
10. CONTRACTOR fully understands the scope of work for the PROJECT, and is prepared to provide a fully functional system to OWNER with no extra costs to the bid amount as listed in Item 4 above.
11. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns. IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials this Agreement in 3 copies.
12. CONTRACTOR confirms that a meeting was conducted with representatives of the Woodbury Public Works Department and that the scope of the PROJECT and the Performance Specifications are understood. It is fully confirmed that the CONTRACTOR agrees to coordinate and cooperate with the OWNER and the Public Works Department along with the ENGINEER to complete the

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PROJECT within the specified time frame.

OWNER: CITY OF WOODBURY

By: 

Name: Jessica Floyd

Title: Mayor

(SEAL)

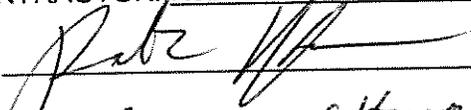
ATTEST:



Name: Roy Duffield
(Please Type)

Title: City Clerk

CONTRACTOR: Robert H. Hoover & Sons, Inc.

By: 

Name: ROBERT HOOPER
(Please Type)

Address: 149 GOOD MINER
PLANNERS, NJ 07834

(SEAL)

ATTEST:



Name: Karl J Serio
(Please Type)

Title: Sales Admin