



**FULTON
COUNTY**

CONTRACT AGREEMENT

#22ITBC134668K-DB

CENTRIFUGALLY CAST FIBERGLASS REINFORCED POLYMER MORTAR PIPE (CCFRPM)

DEPARTMENT OF PUBLIC WORKS

CONTRACT AGREEMENT - COMMODITIES

This Agreement is effective as of the [insert date] of [insert month], [insert year], by and between Fulton County, a political subdivision of the State of Georgia (hereinafter called the "County"), and the Contractor ("Contractor") set forth below.

Contractor:	HOBAS Pipe USA
ITBC Contract No. & Title:	22ITBC134668K-DB; Centrifugally Cast Fiberglass Reinforced Polymer Mortar Pipe (CCFRPM)
Address:	1413 E. Richey Road Houston, TX 77073
Telephone:	832-492-0509
Email:	RCarrasquero@hobaspipe.com
Contact Name & Title:	Richard Carrasquero, Director of Project Management and Estimating

This agreement was approved by the Fulton County Board of Commissioner on Wednesday, October 19th, 2022; Item #22-0784.

The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of this Agreement:

Exhibit 1: Solicitation Document & Addendum (Submitted by Reference)

Exhibit 2: Contractor Bid Form Response (attached)

1. Contract Term

This is a one-time procurement.

2. Compensation

The total contract amount for the Project shall not exceed One Million Six Hundred Fifty-Nine Thousand and No Cents; (\$1,659,000.00), which is full payment for a complete scope of work. The detailed costs are provided in Exhibit 2, Bid Form Response.

3. Description of Goods

The Contractor agrees to provide all goods, services, and other deliverables in compliance with the specifications contained in the ITBC solicitation document and the terms of this Agreement.

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

FULTON COUNTY, GEORGIA

DocuSigned by:

Robert L. Pitts

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

ATTEST:

DocuSigned by:

Tonya R. Grier

Tonya R. Grier, Clerk to the Commission

(Affix County Seal)

APPROVED AS TO FORM:

DocuSigned by:

[Signature]

Office of the County Attorney

APPROVED AS TO CONTENT:

DocuSigned by:

David Clark

David E. Clark, Director
Public Works

CONTRACTOR:

HOBAS PIPE USA

DocuSigned by:

Richard Carrasquero

Richard Carrasquero, Director
Project Management and Estimating

ATTEST:

DocuSigned by:

Daniel Schutzenauer

Daniel Schutzenauer, Assistant Secretary

(Affix Corporate Seal)

ATTEST:

Jayne Dromgoole

Notary Public

County: Harris

Commission Expires: 09/02/2023

(Affix Notary Seal)

ITEM#: 2022-0784 RCS: 10/19/2022
RECESS MEETING

ITEM#: _____ RM: _____
REGULAR MEETING

EXHIBIT 1
SOLICITATION DOCUMENT
& Addendum
(By reference made a part of this Agreement)

EXHIBIT 2

BID FORM RESPONSE

The County agrees to compensate the Contractor for all the materials provided under this Agreement in an amount not to exceed \$1,659,000.00 (One Million Six Hundred Fifty-Nine Thousand and No Cents). The detailed costs are provided on the attached Bid Form/Awarded Lines.

Negotiated Pricing

SECTION 2**BID FORM**

Submitted To: Fulton County Government

For: **#22ITBC134668K-DB; Centrifugally Cast Fiberglass Reinforced Polymer Mortar Pipe (CCFRPM)**Submitted By: Hobas Pipe USABid Due Date: [7/14/22]

Instructions: This Bid Form must be submitted in its entirety as an attachment with the Bid response submitted electronically using the County's on-line Vendor Self Service System.

The undersigned, as Bidder, hereby declares that the only person or persons interested in the Bid as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this Bid or in the Contract to be entered into; that this Bid is made without connection with any other person, company or parties making a Bid; and that it is in all respects fair and in good faith without collusion or fraud.

The Bidder further declares that it examined the scope of work and is informed fully in regard to all conditions pertaining to the work to be provided and has examined the contractual documents relative thereto and has read all instructions to Bidders and General Conditions furnished prior to the openings of bids; and is satisfied relative to the work to be performed.

The Bidder proposes and agrees, if this Bid is accepted, to contract with the Board of Commissioners of Fulton County, Atlanta, Georgia, in the form of contract specified, to furnish all necessary materials, equipment, machinery, tools, apparatus, means of transportation and labor necessary in the itemized cost and to complete the work in full and complete accordance with the scope of work shown, noted, and reasonably intended requirements of the scope of work to the full and entire satisfaction of the Board of Commissioners of Fulton County, Atlanta, Georgia, with a definite understanding that no money will be allowed for extra work except as set forth in the attached General Conditions and Contract Documents for the following prices.

THE TOTAL COST IS THE AMOUNT UPON WHICH THE BIDDER WILL BE FORMALLY EVALUATED AND WHICH WILL BE USED TO DETERMINE THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER.

TOTAL COST AMOUNT (Total amount for all items) [Include this section only if awarding to overall lowest responsive and responsible bidder]

\$ 1,659,000.00**(Dollar Amount in Numbers)**One Million, Six Hundred and Fifty Nine Thousand and No Cents**(Dollar Amount in Words)**

Negotiated Pricing

The Bidder agrees hereby to commence work under this Contract, with adequate personnel and equipment, on a date to be specified in a written "Notice to Proceed" from the County.

The Bidder proposes to provide the item(s) at the unit prices stated herein; and should the quantities be decreased, the Bidder also understands that the item(s) will be provided at the unit price bid and will make no claim for anticipated profits for any decrease in quantities; and that actual quantities will be determined upon order, at which time adjustments will be made to the contract amount by direct increase or decrease.

Unit Pricing (The County shall award to the overall lowest responsive and responsible bidder complying with the provisions of this ITBC)

BASE BID AMOUNT

Item No.	Item Description	Manf. & model #.	Qty.	Unit Price	Extended Price (qty. x price)
1.	CCFRPM Pipe, FWC Coupling Class 25 PSI Stiffness 72 PSI Diameter 54" Length 20ft each	Centrifugally Cast Fiberglass Reinforced Polymer Mortar Pipe (HOBAS) 54" Diameter	4,200 Ft.	\$395/LF	\$1,659,000.00
	TOTAL (Line 1)		4200 LF	\$395/LF	\$1,659,000.00

Bidder shall submit pricing exactly as directed. Bidder shall provide pricing on each of the items. Failure to comply will deem the bidder non-responsive and bid disqualified.

The prices for this project are valid through December 31, 2022.

Negotiated Pricing

SPECIAL CONDITIONS

All Bidders' shall submit pricing on all line items exactly as directed. All bidders are instructed to list on a separate sheet of paper any exceptions or variations to the specifications and shall be titled "Exceptions To Bid Conditions" and attach it to the bid.

All Bidders' must provide a copy of each manufacturer's submittal sheets for each line item on this bid so Fulton County can determine the acceptability of meeting the specifications. All bidders shall provide pricing on each of the items, shipping freight and charges shall be included in bid pricing. Failure to comply will result in a determination of non-responsive and disqualification of bid

The undersigned acknowledges receipt of the following addenda (list by the number and date appearing on each addendum) and thereby affirms that its Bid considers and incorporates any modifications to the originally issued Bidding Documents included therein:

ADDENDUM # N/A DATED

ADDENDUM # DATED

SUBMITTED BY:

BIDDER NAME: Hobas Pipe USA

ADDRESS: 1413 E. Richey Road

CITY/STATE/ZIPCODE: Houston, TX 77073

CONTACT NAME: Brett Ardizone

EMAIL ADDRESS: bardizone@hobaspipe.com

BUSINESS PHONE: 832-492-0509

Indicate whether your firm is certified by any governmental agency (i.e. City of Atlanta, MARTA, etc.,) or professional organization (i.e. GSMDC, WBENC, SBA, etc.,) as:

Minority Business Enterprise (MBE)

Female Business Enterprise (FBE)

Small Business Enterprise (SBE)

Disadvantaged Business Enterprise (DBE)

Small Disabled Veteran Business Enterprise (SDVBE)

Negotiated Pricing

BUSINESS TYPE: Corporation ☒ Partnership ☐ Sole Proprietor ☐ Other ☐

Note: If the Bidder is a corporation, the Bid shall be signed by an officer of the corporation; if a partnership, it shall be signed by a partner. If signed by others, authority for signature shall be attached.

The full name and addresses of persons or parties interested in the foregoing Bid, as principals, are as follows:

Name

Russell R
Russell Beasley
VP OPERATIONS
HOBAS PIPE USA
HOUSTON, TEXAS

Address

END OF SECTION

EXHIBIT 3

CONTRACT COMPLIANCE DOCUMENTS

SECTION 3 - CONTRACT COMPLIANCE REQUIREMENTS

Project Name & Number: 22ITBC134668K-DB - Centrifugally Cast Fiberglass Reinforced Polymer Mortar Pipe (CCFRPM)

NON-DISCRIMINATION IN PURCHASING AND CONTRACTING

It is the policy of Fulton County Government that discrimination against businesses by reason of the race, color, gender or national origin of the ownership of any such business is prohibited. Furthermore, it is the policy of the Board of Commissioners ("Board") that Fulton County and all vendors and contractors doing business with Fulton County shall provide to all businesses the opportunity to participate in contracting and procurement paid, in whole or in part, with monetary appropriations of the Board without regard to the race, color, gender or national origin of the ownership of any such business. Similarly, it is the policy of the Board that the contracting and procurement practices of Fulton County should not implicate Fulton County as either an active or passive participant in the discriminatory practices engaged in by private contractors or vendors seeking to obtain contracts with Fulton County.

REQUIRED FORM

In order to be compliant with the intent and provisions of the County's Non-Discrimination in Purchasing and Contracting Policy, Bidders **must** complete and upload the completed Contract Compliance Requirements document.

WORK CATEGORY: GOODS

BUSINESS CLASSIFICATION

The firm that will provide the scope of work/service(s) **IS NOT** ☒, **IS** ☐ a Minority or Female owned and controlled business enterprise. Check the appropriate box.

☐ African American (AABE)

☐ Asian American (ABE)

☐ Hispanic American (HBE)

☐ Native American (NABE)

☐ White Female American (WFBE)

☐ Small Business (SBE)

☐ Service Disable Veteran (SDVBE)

☐ Disadvantage Business (DBE)

****If yes, Prime must submit a copy of recent certification.**

☐ Male or ☐ Female (Check the appropriate box).

EXHIBIT A – PROMISE OF NON-DISCRIMINATION

Company
official →

"Know all persons by these presents, that I/We (Russell Beasley),
Name

VP OPERATIONS
Title

HOBAS PIPE USA
Company Name

Hereinafter "Company", in consideration of the privilege to bid on or obtain contracts funded, in whole or in part, by Fulton County, hereby consent, covenant and agree as follows:

- 1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin or gender in connection with any bid submitted to Fulton County for the performance of any resulting there from,
- 2) That it is and shall be the policy of this Company to provide equal opportunity to all businesses seeking to contract or otherwise interested in contracting with this Company without regard to the race, color, gender or national origin of the ownership of this business,
- 3) That the promises of non-discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption,
- 4) That the promise of non-discrimination as made and set forth herein shall be made a part of, and incorporated by reference into, any contract or portion thereof which this Company may hereafter obtain,
- 5) That the failure of this Company to satisfactorily discharge any of the promises of non-discrimination as made and set forth herein shall constitute a material breach of contract entitling the Board to declare the contract in default and to exercise any and all applicable rights and remedies, including but not limited to cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract; and
- 6) That the bidder shall provide such information as may be required by the Director of Purchasing & Contract Compliance pursuant to Section 102-436 of the Fulton County Non-Discrimination in Purchasing and Contracting Policy.

Company
official →

NAME: Russell Beasley TITLE: VP OPERATIONS

SIGNATURE: [Signature]

ADDRESS: 1413 E RICHY ROAD

HOUSTON, TX 77073

PHONE NUMBER: 281-821-2200 EMAIL: rbeasley@hobaspipe.com