



ENGINEERING DIVISION
KEVIN F. CAFFERTY
SUPERVISOR

Department of Public Works

781-545-8732

INDEPENDENT CONTRACTOR AGREEMENT

Contract # 14-WA-36

This agreement is entered into by the Town of Scituate (the Town) and JCI Jones Chemicals, Inc., Charlotte, NC. an independent contractor (the Contractor) on this 20th day of May 2014.

The Contractor covenants and agrees to supply the Town with liquid chlorine (150# Cylinders), AWWA B301 at \$1.33 per gallon. As outlined in the Eastern Massachusetts Chemical Cooperative Bid. ^{LB}

This contract will supersede all other contracts with regards to this work and become binding.

The Contractor understands that there is not a maximum or minimum value to this contract it is all based on unit price and based on the Town's needs. All quantities in the bid package were for estimate only.

All material to be of first quality and fit for the ordinary purpose for which it was intended and as outlined in the bid package. The contractor shall submit to the Town submittals that must be approved before any delivery takes place.

It is understood that this Agreement constitutes the entire understanding between the parties and no department head, supervisor, or agent of the Town has any authority to modify, alter or amend this Agreement. This Agreement may only be modified by a written agreement signed by the Contractor and the Town Administrator or Board of Selectmen.

The Agreement may be terminated by either party by written notice to the other party; provided, however, if this Agreement requires the Contractor to complete a specified contract at an agreed upon price. Contractor may not terminate without the Town's consent. Upon such termination, the Town shall be without obligation to make further payment pursuant to this Agreement except for such period as the Contractor shall have performed satisfactory work. In the event of breach of this Agreement by the Contractor, the Town shall be entitled to recover all damages, including consequential damages, plus reasonable attorney's fees and expenses.

Independent Contractor Agreement

The parties agree that the Contractor is an independent contractor. The Contractor shall bear all financial responsibility to his agents and/or employees, maintain all records required by Federal, Massachusetts and local laws and regulations, assume full responsibility for payment of all adequate unemployment insurance, workers' compensation insurance, Federal, Massachusetts and local taxes and social security contributions. Contractor shall furnish evidence of public liability insurance and motor vehicle insurance, if appropriate, in amounts and with insurance carriers acceptable to the Town.

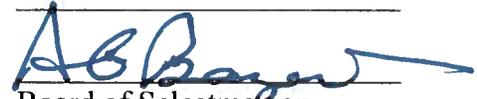
Contractor shall indemnify and hold the Town harmless against claims by anyone for any breach of the terms of this Agreement or any injury, or damage caused in whole or in part by Contractor or any of its agents, servants or employees.

Town of Scituate

Approved as to procurement:

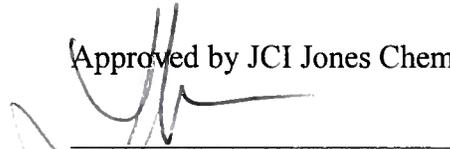


Chief Procurement Officer



~~Board of Selectmen or~~
Town Administrator, *Atty*

Approved by JCI Jones Chemical, Inc.:



Signature

Lindsay Finney - sales coordinator

Printed Name and Title

Mary Sancinito

From: Lindsay Immorlica <lindsay@jcichem.com>
Sent: Wednesday, June 11, 2014 12:39 PM
To: Mary Sancinito
Cc: Cindy Lemieux
Subject: FW: Contract # 14-WA-36 with the Town of Scituate
Attachments: JCI Jones - 14-WA-36.pdf

Good afternoon,

Confirmed

Thanks

Lindsay Immorlica

JCI Jones Chemicals, Inc.
103 River Street
Warwick, NY 10990
845.986.1715
845.986.0619 Fax
Lindsay@JCIChem.com

From: Mary Sancinito [<mailto:msancinito@scituatema.gov>]
Sent: Wednesday, June 11, 2014 10:17 AM
To: Lindsay Immorlica
Subject: Contract # 14-WA-36 with the Town of Scituate

Hi Lindsay,

The Town of Scituate has a contract with your company, contract # 14-WA-36, for liquid chlorine (150#Cylinders), AWWA B301. The issue is that there was a small error in the contract instead of saying 1.33 per lb, as per the Eastern Massachusetts Chemical Cooperative Bid, it says 1.33 per gallon. We would like your permission to adjust the contract to reflect that it is 1.33 per lb, please. I attached a copy of the contract for you as well.

If you have any question please feel free to call me at 781-545-8710.

Thanks,

Mary Sancinito

Mary Sancinito
Assistant Town Accountant
Town of Scituate
781-545-8710
MSancinito@ScituateMA.GOV