

TOWN OF SCITUATE
Department of Public Works
Albert G. Bangert
Director



600 Chief Justice Cushing Hwy.
Scituate, Massachusetts 02066
Telephone: (781) 545-8731
Fax: (781) 545-8704

INDEPENDENT CONTRACTOR AGREEMENT

Contract Number: 14-BF-54

Purpose: Railroad Crossing Island and Traffic Island Maintenance

This Agreement is entered into by the Town of Scituate, Massachusetts (the Town) and Morse Landscape, an independent contractor (the Contractor) for the period July 1, 2014 – June 30, 2015. Contract may be extended one or two additional years by mutual agreement.

The Contractor agrees to supply materials, tools and labor to maintain perennials and flowers in traffic islands and Railroad Crossing Islands as specified in the attached Scope of Work for the sum of \$ 7,650.00 as per the attached bid response.

All work is to be performed in a good and workman-like manner. All material is to be of Contractor's standard quality.

It is understood that this Agreement including identified attachments 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 which is caused solely by the Contractor and which the Contractor fails to remedy upon receiving written notice from the Town, the Town shall be entitled to recover all direct damages, plus reasonable attorney's fees and expenses.

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 applicable records required by Federal, Massachusetts and local laws and regulations, assume full responsibility for payment of all adequate unemployment insurance, workers' compensation insurance, Federal taxes based upon Contractor's income and social security contributions.

Contractor shall indemnify and hold the Town harmless against third party claims for any breach of the terms of this Agreement or any injury, or property damage to the extent caused by the negligence or willful misconduct of Contractor or Contractor's employees while performing under this contract.

Accepted by Contractor/Supplier:


Signature


Printed Name and Title

Accepted by the Town of Scituate:


Patricia A. Vinchesi, Town Administrator

TOWN OF SCITUATE PROCUREMENT DATA FORM

Use this form for the purchase of supplies and services from \$5,000 to \$24,999. The original of this form, the contract between Town & Vendor and any supporting pages must first be filed with the Chief Procurement Officer (C.P.O.) Orders cannot be placed without C.P.O. approval. The minimum requirement of Chapter 30B is requesting three quotes, telephone or written. The Town Accountant will not process a payment unless this completed approved form is received by the Accounting Department.

Name Doyce Farrell
(Person completing this form)

Today's Date 7-2-2014

VENDOR AWARDED	DATE AWARDED	DOLLAR AMOUNT AWARDED
MORSE LANDSCAPE		7650

SPECIFICATIONS- Description of goods or services to be purchased (Attach additional pages wherever necessary)
Contractor will supply materials tools & labor to maintain perennials, flowers and shrubbery in the RRing Islands, Traffic and other islands

BIDDERS- Include name of contact, phone number, city and state	Responsive? Yes NO	Final quoted bid price
1) <u>NC County Landscape</u> <u>Scituate MA</u> <u>781-545-5997</u>	<u>X</u>	
	Explain if NO <u>did not respond</u> <small>(Explain on back of form or attach additional pages wherever necessary)</small>	
2) <u>Northern Oaks</u> <u>Scituate MA</u> <u>781-545-3454</u>	<u>X</u>	
	Explain if NO <u>did not respond to phone msg</u>	
3) <u>Morse Landscape</u> <u>Scituate MA</u> <u>781-545-1800</u>	<u>X</u>	<u>7650</u>
	Explain if NO _____	
4) _____	_____	_____
	Explain if NO _____	

EXEMPTION FROM 30B- Explain - If applicable, you must include the state bid contract number, collaborative bid organization or name of agency, contact person, phone number.

(Sole source, school textbooks, library books, intergovernmental contracts, emergencies that would endanger health and safety of people or property, special education supplies or services delivered directly to students, job related training, insurance, lawyers, designers, public accountants, deputy tax collector services, health care services, snowplowing, towing services, bank services, real estate, solid waste collection/disposal, required advertisements, purchases with gift or trust money.)

APPROVAL- I certify that I am not aware of any violations of Chapter 268A (ethics issues) regarding this procurement. I am not aware of any potential conflict of interest that I have not already disclosed to the C.P.O.

Doyce Farrell
Signature - Officer completing this form

[Signature]
Signature - Chief Procurement Officer

Town Accountant cannot pay invoices without a written contract unless there is a state or collaborative bid contract.

ATTACHMENT A

QUOTE REPLY FORM

COMPANY NAME MORSE LANDSCAPE + DESIGN INC.
ADDRESS P.O. BOX 139
GREENFUSH MA 02040
TELEPHONE TEL-545-1800

We hereby offer to supply materials, tools, and labor to maintain perennials, flowers and shrubbery in the railroad crossing islands, traffic and other islands according to the scope of work defined in this Request for Bids at the lump sum amount specified below.

Item	Total
Maintenance of all Railroad Crossing islands (July 2014 through June 2015)	3,600
Maintenance of specified traffic and other islands (July 2014 through June 2015)	4050

TOTAL BID PRICE \$ 7650

SIGNATURE

William E. Moran

TITLE

PRESIDENT

DATE June 25, 2014

BID SPECIFICATIONS

RR Crossing and Traffic Island Maintenance

General Summary

The Contractor shall provide all materials, tools, and labor associated with maintaining the neat and orderly appearance of the railroad crossing islands and traffic islands as specified in the Town of Scituate.

Scope of Work

- a. Perform spring clean-up of the island beds. Fertilize perennials.
- b. Prior to June 1, plant annuals provided by Town, weed and mulch all plants in the islands
- c. Trim perennials and weed all islands as needed to keep them looking tidy, but at least once a month from April through October.
- d. Perform fall clean-up prior to Thanksgiving.
- e. Dispose of all waste after every visit.
- f. Emergency maintenance: provide emergency maintenance as required and directed by the Chairperson of the Beautification Commission or a designate.

Note: Good quality organic mulch and fertilizer to be provided by contractor.

Location of Railroad Crossing Islands

1. Four sets of traffic islands at the intersection of Country Way, Gannett and Henry Turner Bailey.
2. Two islands at the Hollet Street RR crossing.
3. Two islands at the Captain Peirce Road RR crossing.
4. Two islands at the Beaver Dam Road RR crossing.
5. Two islands at the First Parish Road RR crossing.

Location of Traffic Islands

1. First Parish Road and Rt 3A, two islands.
2. First Parish Road and Country Way.
3. First Parish Road and Front/Kent Streets, 2 islands.
4. Front Street and Brook Street (in front of Maria's).
5. Cole Parkway, narrow strip at entrance from Front Street
6. Harbormaster's island, between sidewalk and bandstand.
7. Town Pier, small island and shrubs on east end of large island.

Length of Contract

The contract will be awarded for one year commencing July 1, 2014 and ending on June 30, 2015. The contract may be extended for an additional period of two years by mutual agreement.

Billing

The Contractor shall submit an invoice monthly for one-ninth of the total amount commencing at the end of March.

NOTICE

The Department of Public Works, on behalf of the Beautification Commission, is soliciting quotes for landscape maintenance of the railroad crossing islands, specific traffic islands and other islands in various locations through-out town.

Please provide a quote for this work on the attached forms and fax (781-545-8704) or email to cchessia@scituatema.gov, or deliver to Department of Public Works at Town Hall, 600 CJCushing Hwy, Scituate, MA **by 10:00 on July 2, 2014.**

The Town reserves the right to accept or reject any proposal, to waive any informalities, to divide the award and to accept any proposal deemed in the best interest of the Town of Scituate.

QUOTE REPLY FORM

COMPANY NAME _____

ADDRESS _____

TELEPHONE _____

We hereby offer to supply materials, tools, and labor to maintain perennials, flowers and shrubbery in the railroad crossing islands, traffic and other islands according to the scope of work defined in this Request for Bids at the lump sum amount specified below.

<u>Item</u>	<u>Total</u>
Maintenance of all Railroad Crossing islands (July 2014 through June 2015)	
Maintenance of specified traffic and other islands (July 2014 through June 2015)	

TOTAL BID PRICE \$ _____

SIGNATURE _____

TITLE _____ DATE _____