

MEMORANDUM OF CONTRACT-ITB NO. 0118-0150

This Memorandum of Contract is executed this 7 day of July, 2018, by the undersigned, as representative of SNF Polydyne, Inc. ("Vendor"), who hereby confirms that:

1. Vendor submitted a Bid Proposal, dated May 11, 2018, in response to the Invitation to Bid ("ITB") No. 0118-0150 issued by the City of Daytona Beach ("the City"); and
2. The Bid Proposal was for the as-needed supply of liquid cationic wastewater sludge dewatering polymer (the "Product"), at unit prices contained in the Bid Schedule included in the Bid Proposal; and
3. As expressly stated in the Bid Proposal, the Bid Proposal constituted an offer to enter into a Contract, which Contract incorporates all of the terms and conditions of the ITB, the Bid Proposal, all other documents contained or referenced therein, and this Memorandum (hereinafter collectively, the "Contract Documents"); and
4. The Bid Proposal expressly provided that the City may accept Vendor's offer through issuance of a Purchase Order; and
5. The City has accepted Vendor's offer through issuance of the attached Purchase Order; and
6. The Effective Date of the Contract is 07/09/2018, being the date of bid award by the Daytona Beach City Commission, and the Term of said Contract is 3 years, commencing on the Effective Date, with the City having an option to renew the Contract for up to 2 Terms of 1 year each under the same terms and conditions; and
7. Vendor affirms that all references in the Contract Documents to "Contractor" and "Supplier" refer to Vendor; and
8. Vendor affirms that, per said Contract, within 10 days of this Memorandum of Contract, Vendor will obtain the Insurance referenced in the Special Instructions included in the ITB, and will thereafter maintain such insurance and comply with the insurance provisions within said Special Instructions for the duration of the Contract; and
9. Vendor affirms that, per said Contract, the City will place orders with Vendor for the delivery of the Product by emailing Vendor at **polycust@snfhc.com**, or such other email address as Vendor may provide to City via written notice; and
10. Vendor affirms that, per said Contract, upon receipt of such orders from the City, Vendor will deliver said Product in the manner described in the Contract FOB Westside Regional Reclamation Facility at 3651 LPGA Blvd, Daytona Beach, FL 32124, just outside the dewatering building; and

[Remainder of page intentionally left blank. Memorandum of contract continues on following page.]

11. Vendor affirms that, per said Contract, deliveries will be completed within **14 days** of such order, including weekends and holidays; and
12. Vendor affirms that the product delivered will be the same product and meet the same specifications as tested in the pre-qualification testing phase.

Executed on the date first written above by the undersigned authorized representative of Vendor:



Printed Name: Mark Schlag

Title: Vice-President