

## AGREEMENT FOR DEBRIS CLEARANCE AND REMOVAL

THE STATE OF TEXAS       §  
  §  
COUNTY OF MATAGORDA §

This Agreement for Debris Clearance and Removal (“Agreement”) is entered into, and made effective, this 24<sup>th</sup> day of September, 2021, by and between the City of Bay City, Texas, a Texas municipal corporation (the “City”) and DRC Emergency Services, LLC (“DRC”).

DRC Emergency Services, LLC hereby agrees to provide such services to the City of Bay City, Texas on an emergency basis using the rate table attached hereto as Exhibit “A” upon receipt of a written notice to proceed from City.

Notwithstanding any provisions in the parties’ contract to the contrary, the City of Bay City, Texas’ payment obligations to DRC Emergency Services, LLC for the performance of work are not contingent upon any determination of debris eligibility by Matagorda County or FEMA.

This Agreement is being procured on an emergency basis based upon the following:

1. There is a need to procure on an emergency basis as there is the existence of a need to avoid, prevent or alleviate serious harm or injury, financial or otherwise, to the Applicant. The City will begin competitive procurement immediately to be ready for future events, however this contract has an end date of 30 days from the City’s notice to proceed, so it proves short time is needed.
2. A noncompetitive procurement is necessary because current disaster contractors (WCA – trash company) cannot provide immediate needed services. This is to immediately remove debris from public right-of-ways to enable a safer and cleaner community.
3. If the City had to do sealed bid, it would take 90 days to award the bid at minimum with another unknown number of days before the contractor could begin depending on other cities or counties served. This is inefficient as the Contractor is already performing work for other entities in the area.

FEMA Rider attached as Exhibit “B” is incorporated herein and attached hereto.

City of Bay City, Texas

DRC Emergency Services, LLC

By: \_\_\_\_\_  
Robert K. Nelson, Mayor

By: \_\_\_\_\_

Date signed: \_\_\_\_\_

Date Signed: \_\_\_\_\_