

CONTRACT

THIS AGREEMENT, made and entered into this 7th day of September, 2022, by and between the Hamburg Township Board, hereinafter called the "Board," and Aqua-Weed Control, Inc., hereinafter called the "Contractor," to wit:

1. That the bid form, instructions to bidders, specifications, and addenda hereto attached or herein referred to, shall be and are hereby made a part of this agreement and contract.
2. That the Contractor shall furnish all labor, materials, and equipment necessary and do all the work as set forth in the bid according to the specifications and contract documents, which have hereinbefore been made a part of this contract in a manner, time, and place as herein set forth. If the Contractor fails or omits to complete all of the requirements of this contract, he/she shall be responsible for corrections.
3. That the Contractor shall indemnify the Board, its officers, agents, servants, volunteers, and employees from any and all liabilities, claims, liens, demands, and costs, including Contractor's own employees and for loss or damage to any property in connection with or in any way incidental to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this contract resulting from negligent acts or omissions of Contractor, any Subcontractor, or any employee, agent or representative of Contractor.
4. That the term of the contract is effective from the date above written until December 31, 2024, or earlier, at the sole discretion of the Board.

IN CONSIDERATION WHEREOF, said Board promises and agrees to compensate said Contractor at the unit price amounts listed in the attached bid, dated July 28, 2022.

Payments shall be made upon satisfactory completion of the aquatic herbicide treatments based on a review of the payment submittal forms and approval by the Consultant.

For the faithful performance of all of the stipulations, terms, and conditions of this agreement, said parties respectfully bind themselves and their successors, heirs, executors, administrators, and assigns.

IN WITNESS WHEREOF, the parties have hereunto set their hands, the day and year first above written.

HAMBURG TOWNSHIP BOARD:

By: _____
(Signature)

Name: _____
(Printed)

Title: _____
(Printed)

AQUA-WEED CONTROL, INC.:

By: Casey Thompson
(Signature)

Name: CASEY THOMPSON
(Printed)

Title: V.P. OPERATIONS
(Printed)

BID FORM

BID DATE: 3 p.m. on Friday, August 12, 2022

BID TO: Hamburg Township Board

c/o Paul Hausler
Progressive AE
1811 4 Mile Road, NE
Grand Rapids, MI 49525-2442

BID FROM:

(Company Name of Bidder)

(Company Address)

(Telephone Number)

Aqua-Weed Control, Inc.

414 Hadley St. • Holly, MI 48442
(248) 634-8388 • Fax (248) 634-8870
www.aquaweed.com



In compliance with your invitation for bids, bidder hereby proposes to perform all work related to aquatic herbicide treatments of Hamburg Township Lakes, Hamburg Township, Livingston County, Michigan, in strict accordance with the contract documents, within the time set forth therein, and at the prices stated below.

By submission of this bid, the bidder certifies that this bid has been arrived at independently without consultation, communication, or agreement as to any matter relating to this bid with any other bidder or with any competitor.

Further, the bidder also certifies that he/she has examined the contract documents and the location of the work described herein and is fully informed as to the nature of the work and the conditions relating to its performance.

The bidder understands that the acreages listed are approximate only and subject to either increase or decrease. The bidder agrees that the unit prices named will be used if additions or deductions are made to the quantity of work. Unit price adjustments shall be proportional to adjustments in dose. For example, if 2,4-D ester is used at a rate of 200 pounds per acre instead of the bid rate of 160 pounds per acre, the unit cost would be increased by 25% ($200/160 = 1.25$).

The bidder shall include and be deemed to have included in his bid all Michigan sales and use taxes currently imposed by legislative enactment and as administered by the Michigan Department of Treasury on the bid date.

With the exception of the permit application fee, all work described in the contract documents and required for completion of the project shall be considered as incidental work unless designated as a pay item on the Bid Form.

Aqua-Weed Control Bid

The undersigned, having familiarized himself/herself with the instructions to bidders and the specifications, hereby proposes to perform everything required and to provide and furnish all of the labor, materials, equipment, and all utility and transportation services necessary to perform and complete all the work required for aquatic herbicide treatments of Hamburg Township Lakes in a workmanlike manner, all in accordance with the specifications at and for the following named price to wit:

ITEM	QUANTITY	UNIT PRICE	TOTAL
2,4-D ester (150 lbs/acre)	20 Acres	\$ <u>550.</u> per acre	\$ <u>11,000.-</u>
2,4-D amine (200 lbs/acre)	20 Acres	\$ <u>600.</u> per acre	\$ <u>12,000.-</u>
Triclopyr granular (200 lbs/acre)	10 Acres	\$ <u>695.</u> per acre	\$ <u>6,950.-</u>
Triclopyr liquid (3 gal/acre)	15 Acres	\$ <u>290.</u> per acre	\$ <u>4,350.-</u>
ProcellaCOR	300 PDU's	\$ <u>80.</u> per PDU	\$ <u>24,000.-</u>
Diquat dibromide (1 gallon/acre) with ProcellaCOR @ 8 PDU/acre	20 Acres	\$ <u>340.</u> per acre	\$ <u>6,800.-</u>
Diquat dibromide (1 gallon/acre) with ProcellaCOR @ 6 PDU/acre	20 Acres	\$ <u>400.</u> per acre	\$ <u>8,000.-</u>
Diquat dibromide (1 gallon/acre)	15 Acres	\$ <u>140.</u> per acre	\$ <u>2,100.-</u>
Diquat dibromide (2 gal/acre)	20 Acres	\$ <u>190.</u> per acre	\$ <u>3,800.-</u>
Dipotassium salt of endothall (1 gal/acre)	25 Acres	\$ <u>170.</u> per acre	\$ <u>4,250.-</u>
Diquat dibromide with (pre-mix) Dipotassium salt of endothall (4 gal/acre)	10 Acres	\$ <u>425.</u> per acre	\$ <u>4,250.-</u>
Flumioxazin (200 ppb)	10 Acres	\$ <u>260.</u> per acre	\$ <u>2,600.-</u>
Flumioxazin (100 ppb) with diquat dibromide (1 gal/acre)	15 Acres	\$ <u>240.</u> per acre	\$ <u>3,600.-</u>
Flumioxazin (100 ppb) with dipotassium salt of endothall (1 gal/acre)	15 Acres	\$ <u>270.</u> per acre	\$ <u>4,050.-</u>
Flumioxazin (150 ppb) for starry stonewort	25 Acres	\$ <u>245.</u> per acre	\$ <u>6,125.-</u>
Algae control (chelated copper only)	60 Acres	\$ <u>55.</u> per acre	\$ <u>3,300.-</u>
Macro-algae control: chelated copper ethanolamine complex and hydrothol	20 Acres	\$ <u>60.</u> per acre	\$ <u>1,200.-</u>
Chelated copper complex - granular (0.75 ppm, 3 ft plant height)	10 Acres	\$ <u>300.</u> per acre	\$ <u>3,000.-</u>
Chelated copper complex - liquid	25 Acres	\$ <u>295.</u> per acre	\$ <u>7,375.-</u>
Water lily control (1,600 sq. ft. section)	10 Sections	\$ <u>160.</u> per section	\$ <u>1,600.-</u>
Phragmites control	1 Acre	\$ <u>250.</u> per acre	\$ <u>250.-</u>
Copper sulfate macro-algae rate with polisher (SeClear G @ 50 lbs./acre)	10 Acres	\$ <u>275.</u> per acre	\$ <u>2,750.-</u>
Sum Total:		Dollars	\$ <u>123,350.-</u>
Alternate No. 1: Sonar A.S., or equivalent	13 Gallons	\$ <u>2000.</u> per gal	\$ <u>26,000.-</u>

Payment in 2023 - 2024 will be made based on the bid unit price. Annual contract extensions are contingent upon the discretion of the Hamburg Township Board.

In the interest of expediting the award of this contract, the undersigned may be required to show that he/she has performed work similar to that included under the proposed contract for which this bid is offered.

In submitting this bid, it is understood that the right is reserved by the Hamburg Township Board to reject any and all bids and to waive defects in the bids.

Signed this 28th day of July, 2022.

SIGNATURE

Casey Thompson

NAME AND TITLE:

CASEY THOMPSON

(Printed)

VICE PRESIDENT OF OPERATIONS

BIDDER QUESTIONNAIRE

Hamburg Township Lakes Aquatic Herbicide Treatment Program

Bidder: Aqua-Weed Control Inc.

1. Provide a list of applicators employed by your company and their respective dates of certification by the Michigan Department of Agriculture and Rural Development.
2. During 2021, how many lakes in the various size categories listed below did you treat with herbicides?
 - a. 1 to 10 Acres: 360 Lakes
 - b. 11 to 100 Acres: 70 Lakes
 - c. 101 to 500 Acres: 40 Lakes
 - d. Lakes > 500 Acres: 25 Lakes
3. Please attach a complete listing of equipment proposed to be utilized for the herbicide treatment program on Hamburg Township Lakes.
4. Please attach a listing of a minimum of three references of previous work. For each project, provide a contact person with phone number and include the lake name, county, lake surface acreage, treatment area acreage, plants targeted for control, herbicides applied, and Michigan Department of Environment, Great Lakes, and Energy permit number.

Signed this 28th day of July, 2022.

Signature: Casey Thompson

Name and Title: CASEY THOMPSON

(Printed) VICE PRESIDENT OF OPERATIONS