

27. Approve Mutual Termination for RFP-4242-05/BJC – Part B - Term Contract for Asphalt Base Stabilization and Related Services, with Florida Highway Products, Bartow (Mutual Termination).

RFP-4242-05/BJC – Part B - provides for an asphalt stabilized base course composed of a mixture of the existing bituminous concrete pavement and existing base course material. The manufacture of the asphalt stabilized base course shall be done by in-place crushing and blending of the existing pavement and base materials and the introduction of asphalt emulsion. The pulverization, blending, and addition of asphalt emulsion to the existing materials, which results in an asphalt stabilized base course, shall be accomplished in accordance with these specifications. Florida Highway Products, Inc., one of 2 Contractors for Part B under this Agreement, was reorganized and has requested mutual termination of the agreement effective September 13, 2005.

The services will continue to be performed through the other Contractor under this Agreement, Asphalt Recycling, Inc., Melbourne Beach and services will be provided without interruptions to County operations.

Public Works/Roads-Stormwater Division and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve the termination and authorize the County Manager to execute the document.

**MUTUAL TERMINATION OF (PART B) TERM CONTRACT FOR ASPHALT BASE
STABILIZATION AND RELATED SERVICES (RFP-4242-05/GMG)**

THIS MUTUAL TERMINATION of Agreement is made and entered into this _____ day of _____, 2005, by and between **FLORIDA HIGHWAY PRODUCTS, INC.**, whose mailing address is P.O. Box 928, Bartow, Florida 33831, hereinafter referred to as the "CONTRACTOR" and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the "COUNTY".

W I T N E S S E T H:

WHEREAS, on April 21, 2005, the parties entered into a term contract for asphalt base stabilization and related services; and

WHEREAS, parties mutually agree to terminate their duties and responsibilities to each other under that term contract,

NOW, THEREFORE,

1. The CONTRACTOR and the COUNTY hereby agree that the agreement titled (Part B) Term Contract For Asphalt Base Stabilization And Related Services (RFP-4242-05/GMG) issued on April 21, 2005 is hereby terminated.

2. The CONTRACTOR agrees that no payment is due by the COUNTY under said Term Contract for services performed under that Term Contract.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date below written for execution by the COUNTY.

ATTEST:

FLORIDA HIGHWAY PRODUCTS, INC.

, Secretary

By: _____
ROBERT H. MAGGARD, Vice-President

(CORPORATE SEAL)

Date: _____

WITNESSES:

SEMINOLE COUNTY, FLORIDA

By: _____
J. KEVIN GRACE, County Manager

Date: _____

For the use and reliance
of Seminole County only.

Within authority of Resolution
No. 93-R-71 adopted February 23,
1993.

Approved as to form and
legal sufficiency.

County Attorney
AC/lpk
8/9/05
rfp-4242B termination



"Rob Maggard"
<Rob.Maggard@floridahighway.net>

08/03/2005 10:29 AM

To <BCohen@seminolecountyfl.gov>
cc <JThurman@seminolecountyfl.gov>

bcc

Subject Seminole mutual termination

History: This message has been replied to.

We appreciate our relationship with Seminole County. Thank you for you attention to tis matter.

Betsy J. Cohen
Purchasing Supervisor
Seminole County
1101 East First Street
Sanford, FL 32771-1468

8-3-05

Re: RFP-4242-BJC/05

Dear Betsy:

As per our conversation, we are requesting a mutual termination of the above referenced contract. I will be meeting with Jeff Thurman of the Roads and Stormwater Division to discuss the final date of work. We anticipate this to be Friday, August 5th. We appreciate your attention to this matter.

Sincerely,

Robert H. Maggard, Florida Highway Products, Inc.