



AGREEMENT SUMMARY

NAME OF OTHER CONTRACTING PARTY

Sun Recycling, LLC.

PROPOSED ACTION

NEW ITEM AMENDMENT, NUMBER

DOCUMENT TYPE

Settlement Agreement

PURPOSE Resolve dust related violations of Chapter 27 of the Broward County Code of Ordinances in the City of Pompano Beach.

SPECIAL PROVISIONS (select if applicable)

- LIVING WAGE PROGRAM M/WBE PROGRAM
 SBE SHELTERED MARKET PROGRAM REQUIRES IN-KIND MATCH: \$ OR %
 FEDERAL DBE PROGRAM REQUIRES CASH MATCH: \$ OR %
 CDBE PROGRAM

EFFECTIVE DATES (new agreements only)

START: Upon Execution
END: In accordance with Settlement Agreement

EFFECTIVE DATES (amendments only)

- NO CHANGE
 END DATE HAS CHANGED FROM TO
 TERM HAS FROM TO

CONTRACT ADMINISTRATOR

NAME: John Stagnari
PHONE: 954-519-1223

CONTRACT TYPE

- COST REIMBURSEMENT OPEN-END
 FIRM FIXED PRICE TIME AND MATERIALS
 PERFORMANCE BASED OTHER Settlement Agreement

CONTRACT VALUE (new contracts)

ACTUAL ESTIMATED
Base amount \$200,300.00
Reimbursables 0.00
Optional Services 0.00
Total contract value \$200,300.00

CONTRACT VALUE (amendments only)

NO CHANGE ACTUAL ESTIMATED
Original approved contract value
Approved previous adjustments
Value of this action
Amended total contract value

PAYMENT METHOD

- LUMP SUM PAYMENT
 MILESTONE / PROGRESS BASED
 SCHEDULED OR TIME-BASED
 OTHER

PAYMENT TERMS

Penalty of \$17,500 and costs of \$300 to be paid within 30 days of execution. Remaining penalty of \$182,500 to be held in abeyance and waived if in-kind construction project completed on time and in accordance with plans. If project is not completed on time or in accordance with plans, Respondent shall pay \$25,000 per month for each month the work is not completed until remaining penalty balance is paid in full.

COST ADJUSTMENT

- NOT APPLICABLE FIXED PERCENTAGE % ACTUAL COST
 CPI OR OTHER INDEX FIXED COST \$ OTHER

EQUITY PROGRAM PARTICIPATION SUMMARY

Total County established M/WBE, SBE, CDBE, or DBE participation goal for this action or project: N/A
Total contractor-committed M/WBE, SBE, CDBE, or DBE participation goal planned for this action or project: N/A
M/WBE, SBE, CDBE, or DBE participation to date: N/A

RENEWAL OR EXTENSION TERMS

With approval from Department or Hearing Examiner

TERMINATION AND CANCELLATION PROVISIONS

FOR CAUSE: N/A
FOR CONVENIENCE: N/A

DELIVERABLES, MILESTONES OR SCOPE OF THIS ACTION

Under the Settlement Agreement, Respondent agrees to pay a monetary penalty of \$200,000 and administrative costs of \$300 for a total of \$200,300. Within thirty days from the date of approval of this agreement by Broward County, Respondent agrees to pay \$17,500 of the agreed penalty and \$300 in administrative costs for a total of \$17,800. The remaining balance of \$182,500 in monetary penalty shall be held in

abeyance and waived if the Respondent completes within 18 months the proposed in-kind project of constructing a building to partially encapsulate its recycling operations intended to significantly reduce the likelihood of dust leaving the site. Absent any bona fide delays that are outside the control of the Respondent, if the Respondent fails to complete the project on time or in accordance with approved plans, then it shall pay \$25,000 per month for each month the work is not completed until the remaining balance of the monetary penalty held in abeyance is paid in full.

LIST TERMS, CONSIDERATIONS OR DEVIATIONS FROM STANDARD COUNTY FORM.

N/A