

PERFORMANCE AGREEMENT

Between

CITY of HALLANDALE BEACH, FLORIDA

and

ACAI ASSOCIATES, INC.

for

**RFP # FY 2013-2014-006
CONTINUING PROFESSIONAL
SERVICES**

This Performance Agreement (the "Agreement") is entered into this 5th day of January, 2015 by and among the City of Hallandale Beach (hereinafter referred to as the "CITY"), and ACAI Associates, Inc., (hereinafter referred to as the "Consultant", who hereby agree as follows:

WITNESSETH:

WHEREAS, On November 19, 2014, the City Commission approved RFP #FY 2013-2014-006 Continuing Services Agreements To Seventeen (17) Firms for Professional Architectural, Engineering, Landscape Architectural, Surveying and Mapping Services on an as needed basis for a term of five (5) years; and

WHEREAS, Consultant responded to RFP #FY 2013-2014-006 and has been approved as a Firm capable of providing professional services on an as needed basis under Continuing Services Agreement for a term of five (5) years and agrees to be bound by the performance terms and conditions as stated herein.

WHEREAS, the following disciplines were approved to be provided by the Consultant:

- Architecture
- Landscape Architecture
- Mechanical, Plumbing, Electrical Engineering

NOW, THEREFORE, in consideration of the mutual promises and other valuable considerations as shall be set out herein, the parties hereto do mutually agree to the following terms and conditions:

1. **Recitals**: The foregoing whereas clauses are true and correct and incorporated herein by reference.

2. **Notification:** The City shall notify Consultant on an as needed basis of project(s) that require Consultant's services. Consultant shall respond to the City's notification within five (5) business days as to acceptance or rejection of the particular project. Failure to respond to the City's notification within five (5) business days shall be deemed as a rejection, in which case the City shall notify the next approved Consultant for said same services.

Whenever either party desires to give notice to the other, such notice must be in writing, sent by certified United States Mail, postage prepaid, return receipt requested, or sent by commercial express carrier with acknowledgement of delivery, or by hand delivery with a request for a written receipt of acknowledgment of delivery, addressed to the party for whom it is intended at the place last specified. The place for giving notice shall remain the same as set forth herein until changed in writing in the manner provided in this section. For the present, the parties designate the following:

City of Hallandale Beach

City Manager

400 South Federal Highway

Hallandale Beach, FL 33009

With Copy to:

Name of Director

Attn: Department Name

Department Address

Hallandale Beach, FL 33009

And:

City Attorney

400 South Federal Highway

Hallandale Beach, FL 33009

Consultant:

Acai Associates, Inc.

Adolfo Cotilla, Jr., AIA

2937 W. Cypress Creek Rd., Suite 200

Fort Lauderdale, FL 33309

3. **Pricing:** Consultant agrees to negotiate pricing for any and all projects procured under RFP #FY 2013-2014-006 Continuing Services Agreements and agrees to execute a written Continuing Services Agreement as may be required.
4. **Community Benefit Plan:** Consultant agrees to be bound by the Community Benefit Plan (CBP) submitted as a part of Consultant's proposal (attached hereto as Exhibit "A" and incorporated herein by reference) in any and all projects performed under RFP #FY 2013-2014-006 Continuing Services Agreements. In the event Consultant is unable to adhere to the CBP attached as Exhibit "A", Consultant shall agree to submit a Community Benefit Plan equally acceptable to the City.

IN WITNESS WHEREOF, the parties hereto have made and executed this Performance Agreement on the respective dates under each signature: CITY OF HALLANDALE BEACH through its authorization to execute same by Commission action on the 19th, day of November, 2014, signing by and through its CITY MANAGER duly authorized to execute same.

CITY

CITY OF HALLANDALE BEACH

ATTEST:

CITY CLERK

BY:

Renee C. Miller, CITY MANAGER

Approved as to legal sufficiency and Form by CITY ATTORNEY

V. Lynn Whitfield, CITY ATTORNEY

FIRM

ATTEST:

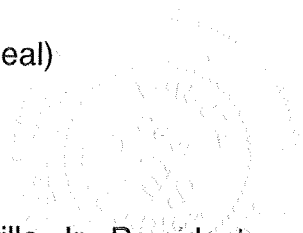
(Secretary)

ACAI Associates, Inc.

By:

(Signature and Title)

(Corporate Seal)



Adolfo J. Cotilla, Jr., President
(Type Name and Title Signed Above)

2014 DEC 23 AM **letter of transmittal**

DATE: December 17, 2014

Phone: 954.484.4000

Fax: 954.484.5588

PROJECT: SA909

Email: info@acaiworld.com

TO: **City of Hallandale Beach**
 Procurement Department
 400 S. Federal Highway
 Hallandale Beach, FL 33009

RE: **Performance Agreement**

ATTN: Tom Camji,
 Procurement Specialist

OVERNIGHT TRACKING #: **USPS**

Reimbursable Non-Reimbursable

WE ARE SENDING YOU: Attached Via your messenger, the following items:
 Shop Drawings Prints Plans Samples
 Copy of Letter Change Order

Date	ORIGINALS	# of cc's	Description
12/17/14	#2		Performance Agreement Between Hallandale Beach and ACAI Associates, Inc.

THESE ARE TRANSMITTED as checked below:

For approval Approved as Submitted Resubmit _____ Copies for approval
 For your use Approved as noted Submit _____ Copies for distribution
 As requested Returned for corrections Return _____ Corrected prints
 For review and comment

DUE _____ 20 _____ PRINTS RETURNED AFTER LOAN TO US

Remarks:

Copy to: SA909 File – ACAI Associates, Inc.

Signed: Nancy Andrews
 Administration

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Detail by Entity Name

Florida Profit Corporation

ACAI ASSOCIATES, INC.

Filing Information

Document Number	H39075
FEI/EIN Number	650020223
Date Filed	01/22/1985
State	FL
Status	ACTIVE
Last Event	NAME CHANGE AMENDMENT
Event Date Filed	02/17/1986
Event Effective Date	NONE

Principal Address

2937 W. CYPRESS CREEK ROAD
SUITE 200
FT. LAUDERDALE, FL 33309

Changed: 02/04/2013

Mailing Address

2937 W. CYPRESS CREEK ROAD
SUITE 200
FT. LAUDERDALE, FL 33309

Changed: 02/04/2013

Registered Agent Name & Address ✓

COTILLA, ADOLFO JJR.
2937 W. CYPRESS CREEK ROAD
SUITE 200
FT LAUDERDALE, FL 33309

Name Changed: 10/18/1996

Address Changed: 02/04/2013

Officer/Director Detail

Name & Address

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State of Florida, Department of State

COTILLA, ADOLFO J JR
2937 W CYPRESS CREEK RD STE 200
FT LAUDERDALE, FL 33309

Annual Reports

Report Year	Filed Date
2013	02/04/2013
2013	07/23/2013
2014	01/13/2014

Document Images

01/13/2014 -- ANNUAL REPORT	View image in PDF format
07/23/2013 -- AMENDED ANNUAL REPORT	View image in PDF format
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04/20/2010 -- ANNUAL REPORT	View image in PDF format
01/27/2010 -- ANNUAL REPORT	View image in PDF format
01/06/2009 -- ANNUAL REPORT	View image in PDF format
08/06/2008 -- ANNUAL REPORT	View image in PDF format
01/17/2008 -- ANNUAL REPORT	View image in PDF format
01/25/2007 -- ANNUAL REPORT	View image in PDF format
03/07/2006 -- ANNUAL REPORT	View image in PDF format
01/05/2005 -- ANNUAL REPORT	View image in PDF format
03/09/2004 -- ANNUAL REPORT	View image in PDF format
02/17/2003 -- ANNUAL REPORT	View image in PDF format
03/18/2002 -- ANNUAL REPORT	View image in PDF format
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05/19/1997 -- ANNUAL REPORT	View image in PDF format
04/08/1996 -- ANNUAL REPORT	View image in PDF format
01/24/1995 -- ANNUAL REPORT	View image in PDF format

Wiggins, Joann

From: Camaj, Tom
Sent: Friday, December 12, 2014 4:21 PM
To: adolfo@aecmworld.com
Cc: Wiggins, Joann; Lues, Andrea
Subject: City of Hallandale Beach - ACAI Associates Performance Agreement for RFP # FY 2013-2014-006 - Resolution # 2014-138 - SIGN AND RETURN due Monday, December 22, 2014
Attachments: ACAI ASSOCIATES, INC. - Performance Agreement - executed now.docx; ACAI - Agreement -Continuing Services RFP executed once accepted.doc

Good Afternoon,

Attached find the Performance Agreement awarded by Commission on November 19, 2014 through Resolution # 2014-138 for RFP # FY 2013-2014-006 Continuing Professional and Architectural Engineering Services. Please have this Performance Agreement signed **by a duly authorized officer of your firm as listed on Sunbiz.org**. Return two (2) duly executed original agreements via mail to the Procurement Department, see address below, **by no later than Monday, December 22, 2014.**

Attached also find the Continuing Services Agreement which will require execution when the City's need arise a specific project or scope of work.

If you have any questions or concerns please contact the Procurement Department at 954-457-1333.

Thank you.

Tom Camaj | Procurement Specialist | City of Hallandale Beach
400 South Federal Highway | Hallandale Beach, FL 33009
Tel: 954-457-1374 | Fax: 954-457-1342 | tcamaj@hallandalebeachfl.gov | www.cohb.org



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Lues, Andrea

From: Adolfo Cotilla <adolfo@aecmworld.com>
Sent: Friday, November 21, 2014 3:28 PM
To: Lues, Andrea
Cc: Sandra B. Smerkers
Subject: city of hallandale beach - Notice of Award - RFP # FY 2013-2014-006 - Resolution # 2014-138 - ACAI Associates Inc.

CONTACT

Hi Andrea,

Thank you for the news: I'm in receipt of your email to Cindy Baldwin and will act on the requested information by Monday. Please send all future correspondence and notices to my attention since ~~Mrs Baldwin~~ is no longer with ACAI Associates.

Best regards,

Adolfo Cotilla

Adolfo J. Cotilla, Jr., AIA
President

ACA I
associates, inc.
2937 W. Cypress Creek Rd., Suite 200
Fort Lauderdale, Florida 33309
Tel: 954.484.4000 | Fax: 954.484.5588
www.acaiworld.com

20 The Zweig Letter
THE HOT FIRM
LIST
WINNER

2014
BEST FIRMS
TO WATCH FOR 2012
ARCHITECTURE WINNER

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♥ Think "GREEN": Do you need to print?

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TITLE PAGE

RFP #: FY 2013-2014-006

TITLE: Continuing Professional Architectural and Engineering Services Firms

FIRM NAME: ACAI Associates, Inc.

CONTACT PERSON: Cindy W. Baldwin, CM-BIM, LEED AP, Chief Operating Officer

ADDRESS: 2937 W. Cypress Creek Rd., Suite 200
Fort Lauderdale, FL 33309

TELEPHONE: (954) 434-4000

EMAIL: c.baldwin@acaiworld.com

DATE OF PROPOSAL: January 17th, 2014