

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2003 - 14

**Being a By-law to authorize the signing of a
Contract with Horizon Roofing Ltd.**

WHEREAS the Council of the Town of Amherstburg deemed it proper to authorize repairs to the roof of Fire Station # 2 on County Road 10; and

WHEREAS the Public Works Department prepared the necessary specifications and obtained quotes; and

WHEREAS the tender from Horizon Roofing Ltd. for the Project A & Project C portions of the initially tendered work (IE Project B eliminated) in the amount of \$65,100.00 + G.S.T. was accepted by the Town

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF
THE TOWN OF AMHERSTBURG ENACTS AS FOLLOWS:**

THAT the Mayor and Clerk be authorized to sign the contract dated October 15, 2002 with Horizon Roofing Ltd. which is attached hereto and forms part of this By-law.

Read a first, second and third time and finally passed this 24th day of February, 2003.

MAYOR

CLERK

1st Reading: February 24, 2003

2nd Reading: February 24, 2003

3rd Reading: February 24, 2003

Certified to be a true copy of By-law No. 2003-14
passed by the Council of the Town of Amherstburg
on February 24, 2003.

CLERK

AGREEMENT

THIS AGREEMENT made in triplicate this 15th day of October, 2002.

BETWEEN THE CORPORATION OF THE TOWN OF AMHERSTBURG

(hereinafter called the Corporation) of the first part,

AND

HORIZON ROOFING LTD.

(hereinafter called the Contractor) of the second part.

WHEREAS the Corporation is desirous that certain works should be constructed, viz., the construction of the:

2002 ROOF REPLACEMENT AND RESTORATION

in the Town of Amherstburg and appurtenances and has accepted a Tender by the Contractor for the construction, completion and maintenance of such works:

NOW THIS AGREEMENT WITNESSES AS FOLLOWS:

1. The Contractor hereby covenants and agrees to provide and supply at his expense, all and every kind of labour, machinery, equipment and materials for, and to undertake and complete in strict accordance with his Tender dated the 26TH day of SEPTEMBER, 2002,

and the Contract Documents (consisting of the General Conditions of Contract, Drawings, Specifications, Information to Tenderers, Special Provisions of Contract, if any, (including all modifications thereof and incorporated in the said documents before their execution) prepared by the Town of Amherstburg Public Works Department and all of which said documents are annexed hereto and form part of this Agreement to the same extent as if fully embodied herein, the construction of the above noted works for the sum of _____

SIXTY-NINE THOUSAND, SIX HUNDRED FIFTY-SEVEN
_____ dollars (\$69,657.00)

2. The Contractor further covenants and agrees to undertake and complete the said work in a proper workmanlike manner under the supervision and direction and to the entire satisfaction of the Town of Amherstburg Public Works Department, within the specified time in his Tender. Time shall be deemed the essence of the contract.

- 3. The Contractor further covenants and agrees that he will at all times, indemnify and save harmless, the Corporation of the Town of Amherstburg, along with their respective officers, servants and agents, from and against all loss and damages whatsoever which may be made or brought against the above listed by reason or in consequence of the non-execution or negligent execution thereof by the Contractor, its servants, agents or employees.
- 4. The Corporation hereby covenants and agrees that if the said Work is duly and properly executed and materials are provided as aforesaid, and if the said Contractor carries out, performs and observes all of the requirements and conditions of this Agreement, the Corporation will pay to the Contractor, the price set forth in his Tender, such payment or payments to be made in accordance with the provisions of the General Conditions of the Contract referred to above.
- 5. This Agreement and everything herein contained shall endure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, successors and assigns, respectively.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals, if any, duly attested by the signature of their proper officers in that behalf, respectively.

WITNESS AS TO SIGNATURE OF CORPORATION

Contractor's Signature and Seal

HORIZON ROOFING LTD

Contractor's Name

3735 COUNTY RD 42 - WINDSOR

Contractor's Address

CORPORATION OF THE TOWN OF AMHERSTBURG

WITNESS AS TO SIGNATURE OF CORPORATION

Mr. Tony DiBartolomeo, Mayor

Mr. David Mailloux, Clerk