

SECTION 01210

AGREEMENT

THIS AGREEMENT, made this 28th day of January, 2025, by and between THE CITY OF CHARLESTON,

acting herein through its _____ Mayor _____
(Title of Authorized Official)

hereinafter called "OWNER" and Lowcountry Sitework, LLC
(Name of Contractor)

doing business as _____ a Corporation _____
(an Individual), (a Partnership), or (a Corporation)

of the City of Charleston, County of Berkeley, and

State of South Carolina, hereinafter called "CONTRACTOR."

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR hereby agrees with the OWNER to commence and complete the construction described as follows:

BARBERRY WOODS DRAINAGE IMPROVEMENTS PROJECTS

hereinafter called the PROJECT.

2. The CONTRACTOR will furnish all of the materials, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 15 calendar days after the date of the NOTICE TO PROCEED and will reach substantial completion within 270 consecutive calendar days and fully complete the PROJECT within 300 consecutive calendar days unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS. The CONTRACTOR further agrees to pay, as liquidated damages, the sum of \$800.00 for each consecutive calendar day thereafter as hereinafter provided in the GENERAL CONDITIONS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of

Five Million, Eight Hundred Seventy-Five Thousand and 00/100 Dollars (\$5,875,000.00)

or as shown in the Bid Schedule.

Barberry Woods Drainage Improvements

5. The term "CONTRACT DOCUMENTS" means and includes the following:

- 5.1 Advertisement for Bids
- 5.2 Information for Bidders
- 5.3 Bid
- 5.4 Bid Bond
- 5.5 Agreement
- 5.6 Performance Bond
- 5.7 Payment Bond
- 5.8 Certificate of Owners Attorney
- 5.9 Notice of Apparent Low Bidder
- 5.10 Notice of Intent to Award
- 5.11 Change Orders
- 5.12 Notice to Proceed
- 5.13 General Conditions
- 5.14 Supplemental Conditions (Including Drawings, Technical Specifications, Permits, and Additional Information)
- 5.15 Addenda

No. 1 Dated 11/19/2024

No. 2 Dated 12/02/2024

No. N/A Dated _____

No. N/A Dated _____

6. The OWNER agrees to pay the CONTRACTOR in the manner and at such times as set forth in the General Conditions and such amounts as required by the CONTRACT DOCUMENTS.

7. This Agreement shall be binding on all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

Barberry Woods Drainage Improvements

IN WITNESS WHEREOF, the parties hereto have executed or caused to be executed by their duly authorized officials, this Agreement in six counterparts, each of which shall be deemed an original, in the year and day first above written.

City of Charleston
(OWNER)
By: [Signature]
Mayor
(Title of Authorized Official)

(SEAL)

ATTEST:

Jennifer Cook
~~(Secretary)~~ Clerk of Council
Alicia Bzyl
(Witness)

Lowcountry Sitework, LLC
(CONTRACTOR)
By: [Signature]
John Mazzearella
Member
(Title)

(SEAL)

1023 Clements Ferry Rd, Charleston, SC 29492
(Address)

ATTEST:

[Signature]
(Secretary)

[Signature]
(Witness)

(End of Section 01210)