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**CITY OF MARATHON, FLORIDA
RESOLUTION 2009-36**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO CONTRACT WITH AIRVAC, INC. FOR PURCHASE/CONSTRUCTION OF SERVICE AREA # 5 VACUUM STATION EQUIPMENT NOT TO EXCEED \$320,000.

WHEREAS, within the bid documents published in the invitation to bid for Service Area five vacuum station, it was stated the City would opt to direct purchase the AIRVAC Inc. equipment, resulting in a substantial cost savings for the City; and

WHEREAS, the direct purchase price for Service Area 5 vacuum station equipment is \$320,000.00

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, that:

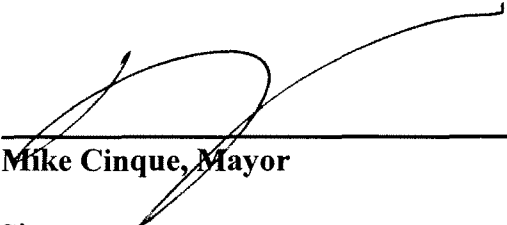
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. Council authorizes the City's direct purchase of vacuum station equipment from Airvac in an amount of \$320,000.00 as per the agreement attached as exhibit "A".

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Marathon, Florida, this 10th day of March, 2009.

THE CITY OF MARATHON, FLORIDA



Mike Cinque, Mayor

AYES: Ramsay, Snead, Vasil, Worthington, Cinque
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE
CITY OF MARATHON, FLORIDA ONLY:**


Jimmy Morales, City Attorney



THE WORLD LEADER IN
VACUUM SEWER TECHNOLOGY

January 16, 2009
Area 5 – City of Marathon
Vacuum Station Equipment Package

TAMPA OFFICE
AIRVAC, INC.
200 Tower Drive, Suite A
Oldsmar, FL 34677 U.S.A.
Phone: (813) 855-6297
Fax: (813) 855-9093
Web: www.airvac.com

Gentleman,

AIRVAC is pleased to offer the following pricing for the Area 5 Vacuum Station equipment package.

Vacuum Station equipment package – Area 5			
Bid ITEM #	DESCRIPTION	QTY	UNIT PRICE
	Vacuum Station Equipment Package	1	\$320,000

The items listed above were described in detail in our January 13, 2009 scope letter.

The prices are based on a purchase order received by the owner and released for shipment by Dec 31, 2009.

WARRANTY

A copy of AIRVAC's standard warranties are included with this offer.

TERMS AND CONDITIONS

AIRVAC's standard payment terms are 100% of the invoiced amount, net 30 days from the date of receipt. The price for the equipment package is F.O.B. jobsite, but does not include sales tax, or any other tax, if applicable.

Any special shipping arrangements may result in additional freight costs. The Contractor will be responsible for freight cost on any returned items. All items being returned must be in "as new" condition. A 20% restocking fee will be accessed on any item returned.

If you have any questions concerning this scope letter, please contact me at 813-855-6297.

Sincerely,

Ron White
AIRVAC Inc.

cc: Mark Jones, David Elias, Sean Agans

January 13, 2009



Area 5 – City of Marathon
Vacuum Station Equipment package

TAMPA OFFICE
AIRVAC, INC.
200 Tower Drive, Suite A
Oldsmar, FL 34677 U.S.A.
Phone: (813) 855-6297
Fax: (813) 855-9093
Web: www.airvac.com

Gentlemen:

We are pleased to offer a package of station equipment required to construct the vacuum sewerage system for the Area 5 vacuum sewer project.

Material and equipment offered shall be in accordance AIRVAC Inc. standards as used by Weiler Engineering Corp.

The package offered by AIRVAC includes only the specialized vacuum equipment itemized in this letter.

CONTRACTOR NOTES

The equipment shall be ready for operation once the contractor has done the following:

- Set the collection tank into the building.
- Mount the isolation valves provided for the incoming vacuum lines to the collection tank.
- Provide and install the piping past the limit of our supply from the isolation valves for the incoming vacuum lines to the exterior of the building.
- Provide and install conduit and wire for the (2) two conductance type level probes, and the solenoid valve mounted on the 8" butterfly valve from the junction box on the collection tank to the Pump Control Panel upstairs.
- Provide conduit and route the AIRVAC supplied wiring from the 4/20ma level transmitter mounted on top of the collection tank to the Pump Control Panel upstairs. This conduit shall be routed a way from any other higher voltage wiring and conduit. Failure to do so will cause problems with the transmitter signal.
- Provide conduit and wire for the 4/20 ma pressure transmitter mounted on the side of the tank to the Pump Control Panel upstairs.
- The contractor will need to make the final cuts and install the 8" Sch 80 PVC header piping from the top of the collection tank to the vacuum pump header on the vacuum pump skid. The contractor is responsible for all pipe hangers/supports.
- Mount the gauge panel on the wall and install the tubing between the gauge and the incoming vacuum lines downstream of the AIRVAC supplied plug valves.

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- Set the sewage pump skid into the building.
 - Provide and install all anchor bolts.
 - AIRVAC will provide (2) local disconnect switches to be mounted by the contractor in the field. The sewage pump motor cables will be long enough to reach the switches. The Contractor will need to provide conduit and wire from the disconnect switches to the Pump Control Panel upstairs.
 - Mount the sewage pump isolation valves and vibration isolators to the inlet side of the sewage pumps.

CONTRACTOR NOTES

- Re-Assemble the force main assembly to the pump volutes. "Discharge side"
- Re-Assemble the sewage pump equalizing lines. – Where required.
- Install the compound gauge on the force main piping past the AIRVAC supply limits.
- Provide and install the common force main pipe past the limit of our supply to the exterior of the building.

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- Set the vacuum pump skid into the building.
 - The contractor will need to make the final cuts and install the 8" Sch 80 PVC header piping from the bottom of the vacuum pump header to the top of the collection tank.
 - Provide and install the vacuum pump exhaust piping from the 3" elbow provided to the 12" ductile iron exhaust piping below grade. (3) required.
 - AIRVAC will provide ¼" nylon tubing between the air compressor and the actuator on the butterfly valve mounted on top of the collection tank. The contractor needs to route this line down the 8" header piping.
 - AIRVAC will wire all the motors, exhaust box heaters, and air compressor to a junction box on the skid.
 - The contractor will need to provide conduit and wire from the junction box on the vacuum pump skid to the Pump Control Panel in the next room AIRVAC will provide local disconnect switches in the junction box for the vacuum pumps.

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- Set the Pump Control Panel in the building and secure it as required.
 - Connect the Pump Control Panel to the main power distribution panel as required.
 - Provide and install electrical conduit and wire between the junction boxes and the Pump Control Panel.
 - Provide and install the electrical/telephone lines to the Pump Control Panel.
 - AIRVAC will provide ¼" nylon tubing for the vacuum switches mounted on the pump control panel. The contractor needs to route this line down the 10" header piping to the collection tank.

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- Install the 2" station sump valve as indicated below.

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- Provide touch up painting as needed. – 2 gallons of touch up paint will be provided.

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- Weight of the collection tank, will be around 8,500 lbs, the sewage pump skid will weigh around 3,250 lbs ea, the vacuum pump skid will weigh around 8,750 lbs. The Pump Control Panel will weigh around 2,000 lbs. Exact weights will be provided just prior to shipment.

VACUUM STATION EQUIPMENT PACKAGE

The AIRVAC package contains:

Collection Tank shall consist of the following items:

- One (1) – 5,000 gallon, 7' diameter carbon steel tank with Rust-Oleum Epoxy coatings as indicated in the specifications. The vacuum collection tank will have all nozzles and openings as shown on the drawings.
- Three (3) - 10" flanged cast iron eccentric plug valves with gear operators, chain-wheel and 9' of chain for field installation on 10" incoming vacuum main nozzles.
- One (1) - 8" butterfly valve, cast iron body, stainless steel stem, ductile iron disc (Nylon 11 coated) and air actuator factory installed on collection tank outlet nozzle to vacuum pump skid. Wiring for the solenoid valve shall terminate at the junction box mounted on the tank. The contractor shall provide and install wire from the junction box to the Pump Control Panel upstairs. AIRVAC will provide ¼" nylon tubing between the air compressor to the vacuum pump skid upstairs. The contractor will need to route this air line up the header assembly and over to the air compressor.
- Five (5) - 4 1/2" diameter 0-30" hg vacuum gauges fitted with stainless steel bourdon tube and socket, phenolic case, 1/2" lower connection. Three (3) gauges will be installed on a gauge panel. The contractor will be responsible for mounting the gauge panel on the wall. One (1) gauge will be installed on the collection tank. The fifth is a spare for the owner. 3/8" tubing will be supplied by AIRVAC for final installation by the contractor. This tubing will need to be run from the gauge on the panel to a 3/8" barb installed by the contractor on the vacuum main, down stream of the isolation valves mounted on the collection tank nozzles.
- As Required - 1/2" stainless steel lever operated ball valves to be used as gauge cocks in factory supplied piping.
- As Required - 1" PVC ball valves factory installed on sight glass, air admission nozzles and drain lines.
- One (1) - Clear PVC pipe for sight glass complete with fittings factory installed on collection tank.
- The collection tank includes a high level conductance probe and a ground conductance probe. A 4/20 ma level transmitter will also be included to operate the various sewage pump and alarm functions. AIRVAC will wire the conductance probes to the junction box on the collection tank. The contractor will need to supply and install the conduit and wire for the conductance probes from this junction box to the Pump Control Panel upstairs. AIRVAC will supply the 4/20 ma wiring. The contractor will need to install this cable in its own conduit, separated from any other electrical wiring. The conduit shall be routed to the Pump Control Panel upstairs. This conduit must be routed away from any higher voltage wiring. Failure to do so will affect the 4/20 ma transmitter signal.

VACUUM STATION EQUIPMENT PACKAGE

Sewage pump skid and force main equipment shall consist of the following items:

- (1) Painted carbon steel deck assembly. Sized appropriately.
- Two (2) - 615 GPM, @ 115 FT TDH, Vertical Dry-Pit submersible sewage pumps with 40HP, 1750 RPM, 480V motor. AIRVAC will wire provide 75' of motor cables. The contractor will need to route these to the Pump Control Panel upstairs.
- Two (2) - 6" flanged cast iron plug valves with hand-wheels. **Shipped loose** for installation in the field by the contractor. In between the collection tank outlet flange and the sewage pump inlet piping.
- Two (2) - 6" vibration isolators. **Shipped loose** for installation in the field by the contractor. In between the collection tank outlet flange and the sewage pump inlet piping.
- Two (2) - 6" flanged cast iron plug valves with hand-wheels factory installed in the sewage pump discharge piping.
- Two (2) - 6" flanged cast iron check valves with a soft rubber seat, external lever, weight factory installed in the sewage pump discharge piping.
- Common Force Main discharge assembly complete with One (1) - 6" flanged cast iron plug valve with hand-wheel operator, chain-wheel and 9' of chain and One (1) - 6" flanged cast iron check valve with a soft rubber seat, external lever and weight.
- One (1) - 4 1/2" diameter 30HG-0-200 psi compound gauge fitted with stainless steel bourdon tube and sockets, phenolic cases, 1/2" lower connections and cleanable diaphragm seal. For use on the sewage pump discharge piping from the sewage pumps past the limit of AIRVAC supply. AIRVAC will supply the gauge but the contractor will need to install the gauge in the field in the common force main piping just beyond the limit of AIRVAC supply.
- Two (2) - Clear 1" sight glass's complete with fittings factory installed on the equalizing lines connected to the sewage pump discharge piping. Re-Assembly is required in the field.
- As Required -1" PVC ball valves factory installed on equalizing lines and drain lines.

VACUUM STATION EQUIPMENT PACKAGE

Vacuum Pump Skid shall consist of the following items:

- (1) Painted carbon steel deck assembly. Sized appropriately.
- Three (3) - Busch vacuum pumps, Model RC-0630, 455 cfm, complete with 25HP motors, inlet filters. The inlet filters will be supplied with drain lines to the edge of the vacuum pump skid. The contractor is responsible to provide the 1" drain piping to the sump in the basement when required. The vacuum pump will be provided with over temperature switches for vacuum pump exhaust and crankcase heaters. AIRVAC will wire the motors (with local disconnects), temperature switches and crankcase heaters to a junction box on the skid.
- Three (3) - 3" butterfly valves, cast iron body, stainless steel stem, ductile iron disc (Nylon 11 coated), complete with lever factory installed on the vacuum pump inlet piping.
- Three (3) - 3" flanged cast iron check valves fitted with 20 durometer rubber flappers factory installed on the vacuum pump inlet piping.
- Three (3) - 3" flanged cast iron check valves fitted with 20 durometer rubber flappers factory installed on the vacuum pump discharge piping. 304 Stainless Steel pipe and fittings to bring the exhaust piping to the edge of the skid.
- One (1) air compressor. AIRVAC will wire the motor, and the pressure switch to a junction box on the skid. AIRVAC will provide ¼" nylon tubing. The contractor will need to route this tubing down the 10" header piping to the collection tank in the field.
- The 3" 304 stainless steel inlet piping for the vacuum pumps shall be combined into a common cement lined ductile iron ten-inch manifold. The manifold will change from ductile iron to Sch 80 PVC as indicated on the shop drawings on the vacuum pump skid. AIRVAC will supply the material to complete the 8" Sch 80 PVC assembly between the header and the collection tank. The contractor will need to cut the pipe to the final lengths in the field. The contractor will need to supply and install all pipe hangers.
- Each vacuum pump exhaust line will be terminated at the edge of the skid with a 3" 304 Stainless Steel elbow facing down.

VACUUM STATION EQUIPMENT PACKAGE

Pump Control Panel

- One (1) Complete NEMA 12 Heavy Duty Free Standing Enclosure. Controls will use Allen Bradley PLC logic to operate the various pumps. A 5 ½" Panelview Plus screen. Allen Bradley soft starters will be used on the vacuum pumps and sewage pump motors. This enclosure will come with its own side disconnect switch - 250 AMP - Sized for (3) 25HP an (2) 40HP motors. AIRVAC will mount the "4 channel" telephone alarm dialer and the 8" vacuum chart recorder through the face of the enclosure. HOA switches and hour run meters will be included with the panel.

One (1) - AIRVAC Interface valve for the vacuum station sump consisting of:

- One (1) two 2" bolted ball valve to isolate interface valve. Mounted on the collection tank.
- One (1) - AIRVAC 2" 'D' model valve, tubing and 2" AIRVAC Check valve for use with the station sump complete with sensor cap and 2 - 2" no-hub couplings. Shipped loose for installation by the contractor.
- The contractor will be responsible to provide and install the associated pipe and hanging brackets for field assembly to the collection tank.

General Notes:

- AIRVAC will perform factory testing. A start up report will be provided.
- AIRVAC will provide spare parts. – Vacuum pumps, Sewage pumps, Control Panel.
- Start up services for the station equipment has been included. (1) person (1) wk AIRVAC standard start up services will be provided. A start up report will be provided.

Painting:

The vacuum pumps and the sewage pumps will be mounted to skids. This skid will be painted with Rust-Oleum, Epoxy Finish. (#9186 Navy Gray)

- The Vacuum pumps will not be painted. They will be provided as per the pump manufacturer's standard paint. "Hammer Tone Gray".
- The sewage pumps will be painted. (#9186 Navy Gray)
- The collection tank will be painted. (#9186 Navy Gray)
- All pipe, fittings and valves will be painted. (#9186 Navy Gray)
- Any other color or paint requirements will be the responsibility of the contractor.

VACUUM STATION EQUIPMENT PACKAGE

Piping and hardware:

AIRVAC Inc. shall provide cement lined ductile iron pipe and fittings on the vacuum header and sewage pump force main piping. To the limit of our supply.

AIRVAC Inc. shall provide 304 Stainless Steel pipe and fittings from the vacuum pump header to the inlet through to the exhaust side of the vacuum pumps up to the limit of our supply.

AIRVAC Inc. shall provide all nuts, bolts and washers made from zinc coated carbon steel.

Operating and Maintenance Manuals:

AIRVAC Inc. shall provide O & M manuals for the equipment supplied by AIRVAC Inc.

Vacuum Station Equipment Package

EXCEPTIONS/CLARIFICATIONS

The vacuum pump exhaust needs to be routed to the odor control unit at the end of the building structure. Sheet Number M5 indicates routing of a 12" PVC Sch 40 line from the vacuum pumps to the odor control unit. The 12" piping must be underneath the concrete slab to avoid the over head crane. The piping under the concrete slab should be ductile iron to avoid the exhaust temperatures from melting the PVC pipe. The ductile iron pipe can be converted to PVC 10 ft after it leaves the slab. Water condensation may occur in this piping. An automatic drain system should be incorporated.

No other exceptions/clarifications are being taken at this time.

DELIVERY

Anticipated shop drawing lead time:

- The Vacuum Collection Equipment Skid Package: (4) Four weeks after AIRVAC's receipt of an approved purchase order or letter of intent.

Anticipated shop drawing review by Engineer:

- (4) Four weeks after receipt of the AIRVAC drawings.

Anticipated product shipment lead time:

- The Vacuum Collection Equipment Skid Package: (22-24) Twenty-Four weeks delivery after AIRVAC' receipt of approved shop drawings from contractor.
- Combined lead-time for this equipment package is (32) weeks from the date of receipt of an approved purchase order.
- We believe this time can be expedited if the long lead time equipment can be released into production prior to submittal approval. Sewage pumps, vacuum pumps, collection tank. We will need something directing us with your purchase order if you desire an expedited delivery.
- AIRVAC will do everything possible to expedite delivery but we do not see it being expedited under (26) weeks from the date of receipt of and approved purchase order.

DELIVERY

Anticipated lead time required for providing an AIRVAC field supervisor.

- Notify the AIRVAC Technical Services Department at least (3) three weeks prior to start up. A complete and operable force main, permanent power to the building, and water for filling the force main along with vacuum main line flushing should be ready prior to start up being performed.

NOTE: The purchaser shall provide all labor and equipment to off-load all materials. Any trailer demurrage charges assessed by the carrier because of delays in unloading the trailer shall be the responsibility of the purchaser. We estimate no longer than 4 hours.

TERMS AND CONDITIONS

All prices quoted above are F.O.B. jobsite, full freight allowed to the job site. ***The prices do not include sales tax, or any other tax, if applicable. Any special shipping arrangements requested by the purchaser are subject to additional freight charges.***

AIRVAC's standard payment terms and conditions are an integral part of this offer (refer to attached copy). To avoid delays in processing an order, the purchaser should acknowledge acceptance of these terms and conditions by signing the attached copy and returning it to AIRVAC when placing any order.

Payment terms are 100% of the invoiced amount, net 30 days from the date of shipment, No Retainage allowed. To minimize the number of days required for repayment to the contractor by the owner, it is suggested that shipping dates should be scheduled to coincide with the project's pay periods.

Prices quoted are contingent on the purchaser purchasing all the material and equipment contained in this letter (quantities, etc.).

Any deletion of items listed will increase the price of the balance of our package. A fee will be charged for any item returned. See above exceptions/clarifications. The purchaser is responsible for all freight charges on all items being returned.

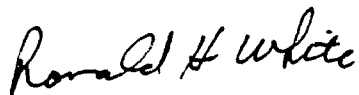
This offer is open for acceptance up to noon EST on April 21, 2009. After that date, AIRVAC reserves the right to re-quote the material.

PATENTS

As a matter of importance, AIRVAC Inc. uses a unique two-phase, plugless vacuum sewerage transport system and certain of its components are protected by United States certain patents. Obviously, the patented system and components may not be used or sold without authorization by AIRVAC. Purchase of an equipment package from AIRVAC and use according to its specifications is an authorized use.

If you have any questions regarding this offer, please feel free to call our office at 813-855-6297, my extension is 402. Our Regional Sales Manager, Mr. Dave Elias, can be reached at 813-855-6297 extension 403 or Sean Agans 813-503-3629.

Sincerely,



Ron White
Inside Sales Manager

RW

cc: Mark Jones,
Dave Elias, Sean Agans

**RIDERS TO THE AGREEMENT BETWEEN
THE CITY OF MARATHON
AND
AIRVAC, INC.**

Nondiscrimination.

During the term of this Agreement, AIRVAC shall not discriminate against any of its employees or applicants for employment because of their race, color, religion, sex, or national origin, and agrees to abide by all Federal and State laws regarding nondiscrimination

Ownership and Access to Records.

All books, documents, maps, data, deliverables, and papers (the "Records") that result from AIRVAC providing services to the City under this Agreement shall be the property of the City. The City Manager or his designee shall, during the term of this Agreement and for a period of three (3) years from the date of termination of this Agreement, have access to and the right to examine any Records of AIRVAC involving transactions related to this Agreement. The City may cancel this Agreement for refusal by AIRVAC to allow access by the City Manager or his designee to any Records pertaining to work performed under this Agreement.

Independent Contractor.

AIRVAC and its employees, volunteers and agents shall be and remain independent contractors and not agents or employees of the City with respect to all of the acts and services performed by and under the terms of this Agreement. This Agreement shall not in any way be construed to create a partnership, association or any other kind of joint undertaking, enterprise or venture between the parties.

Prohibition Of Contingency Fees.

AIRVAC warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for AIRVAC, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for AIRVAC, any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement.

Compliance with Laws.

AIRVAC shall comply with all applicable laws, ordinances, rules, regulations, and lawful orders of public authorities relating to services provided hereunder.

IN WITNESS WHEREOF, the parties hereto hereby execute this Agreement on the respective dates under each signature: The City, signing by and through its City Manager, attested to by its City Clerk, duly authorized to execute same, and by AIRVAC, signing by and through its Authorized Representative, who has been duly authorized to execute same.

Attest:

Diane Clavier
Diane Clavier, City Clerk

CITY OF MARATHON

By: Clyde Burnett
Clyde Burnett, City Manager

Date: 3/12/09

Approved by City Attorney
for legal sufficiency for City
use only:

[Signature]
City Attorney

AIRVAC, INC.

By: Mark A. Jones
Name: Mark A. Jones
Title: President

Date: _____ 3/23/09