LEE'S SUMMIT
MISSOURI

BID # 2020-006
CONTRACT # 2020-006

THIS CONTRACT, made this ___ day of _____ 20__, is herein called Yearly Contract for Asphalt Base and Surface as a Yearly Contract between the City of Lee's Summit, Missouri, a Missouri Constitutional Charter City, (hereinafter "City") and Vance Brothers, Inc. (hereinafter "Supplier").

WHEREAS, City has caused to be prepared an Invitation for Bid, General Terms and Conditions, Special Conditions and/or Specifications for a Term and Supply Contract and any special bid clauses/addenda listed under Special Attachments below (hereinafter "Contract Documents"), said contract documents setting forth such equipment, supplies, labor and/or services to be furnished as therein fully described; and

WHEREAS, Supplier did on the 27th day of March, 2020, file with City their Bid to furnish such equipment, supplies, labor and/or services, as specified; and

WHEREAS, the aforementioned documents adequately and clearly describe the terms and conditions upon which the Supplier is to furnish such equipment, supplies, labor and/or services as specified, IT IS AGREED,

1. The City of Lee's Summit, Missouri, acting through its Procurement and Contract Services Manager does hereby accept, with modifications, if any, the Bid of Supplier.

2. That a copy of the Supplier's signed Bid is attached. The Supplier's Bid and the City's Contract Documents become the agreement and contract between the parties hereto; that both parties hereby accept and agree to the terms and conditions of said bid documents, and that the parties are bound thereby and that the compensation to be paid the Supplier is as set forth in the Supplier's Bid. In the event of a conflict between the Supplier's Bid and the City's Contract Documents, the City's Contract Documents shall control. Items not awarded, if any, have been deleted.

3. Services shall only be provided after receipt of a written request or order from the City after the Department Head for the Department requesting the services, or his/her designee, has determined that budgeted funds are available to cover the cost of the services.

4. That this Contract shall be effective on the ___ day of _____ 2020, Bid No. 2020-006, Contract period from _____ to _____. The City may, at its option, renew the Contract for four (4) additional one-year contract periods by giving written notice to the supplier. Any increase in cost at the beginning of each renewal period will be limited to that allowed per Bid # 2020-006; section 2.1; Renewal Option. All pricing identified on the pricing page shall be in effect for the stated contractual period.

5. No financial obligation shall accrue against the City until Supplier makes delivery pursuant to order of the City Manager.

6. This Contract may be terminated by either party upon sixty (60) days prior notice in writing to the other party. The City may terminate this contract immediately, under breach of contract, if the Supplier fails to perform in accordance with the terms and conditions as referenced to and incorporated above. In the event of any termination of contract by the Supplier, the City may purchase such supplies and/or services similar to those so terminated, and for the duration of the contract period the Supplier will be liable for all costs in excess of the established contract pricing.

7. The Parties agree that this Agreement may be signed in two or more counterparts and/or signed electronically, and all such counterparts together shall constitute one and the same agreement; such signatures shall bind the signing party in the same manner as if a handwritten signature had been delivered.

Bid Number: 2020-006	Dated:	03.27.2020	Pages	01	through	14
Specifications:	Dated:	03.27.2020	Pages	04	through	04
Insurance Requirements			Pages	06	through	08
General Conditions:			Pages	09	through	14
Special Attachments:						

Stephen A. Arbo, City Manager Date

ATTESTED:

Office of the City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

Vance Brothers, Inc
Company Name

Company Authorized Signature

Sr. Vice President 4/8/20
Title Date

Robert A. Vance
Type or Print the Name of Authorized Person