



Date: July 17, 2020
Project: Creekside Park
Location: Pflugerville, TX
Expiration: 90 Days

To: City of Pflugerville
Attn: Aileen Dryden

Please send P.O. Directly to Whirlix Design, LLC for self-reporting to Buy Board.

Documentation of approval of self-reporting will be provided upon request.

Buy Board Contract #592-19

Vendor# 3120

Series: *Landscape Structures Design 1144817-01-02*
Surface: *Engineered Wood Fiber*
Installation: *Included*

Equipment Total: \$67,035.00
EWF Total: \$3,995.00
Installation Total: \$28,801.00
Construction Total: \$41,777.00
Freight Total: \$11,447.00

TOTAL: \$153,055.00
Buy Board Discount: [-5,135.00]
FINAL TOTAL: \$147,920.00

(One Hundred Forty-Seven Thousand Nine Hundred Twenty Dollars and Zero Cents)

Base Bid Includes:

- Warranty
- 5-12 Custom Structure
- 5-12 Age Appropriate Welcome Sign - **FREE**
- Double Bay Single Post Swings with 3 Belt Seats and 1 ADA Molded Bucket Seat
- Jingle Metallophone
- Goblet Drum
- 2-5 Smart Play Motion Structure
- 2-5 Age Appropriate Welcome Sign – **FREE**
- Toddler Swing with 2 Full Bucket Seats
- 1 Single Post Cantilever 16' X 16' X 10' Shade
- Wet Sealed Engineered Drawing for Shade
- Ditty Metallophone
- Kettle Drum Jr.
- (2) Recycled Wood Grain Benches
- Engineered Wood Fiber
- Geotextile Material
- Freight
- Concrete Border and Pad (for benches)
- Drainage
- Construction and Installation

Base Bid Excludes:

- Permits and Inspections
- Payment & Performance Bond
- Surety Bond
- Sales Tax
- **Demolition of Existing Structures/Swings to include Removing footers By City**
- **Demolition of current borders – By City**
- **Excavation and Removal of Peagravel/ Soil – to 12” subgrade By City**
- Railing on new Sidewalk
- Drilling Through Rocky Soil
- Hitting of New or Existing Sprinkler Lines
- Hitting of private electrical, water, sewer, internet, etc. that are not detectible during a commercial line location (Fees may apply if required)
- Surveying of Site
- Craning of Equipment
- Logistical Issues that Prevent Truck or Equipment Access to Site
- Special Augers or Drilling Equipment
- Certified Payroll / Progress Billing
- Setting of Control Points or Benchmarks
- Remobilization Charges Due to Weather or Project Delays
- Offsite Storage of Equipment Due to Weather or Project Related Delays
- On Site Security
- Surfacing Testing
- Soil Testing
- Third Party Audit
- Latrine on site
- Use of Credit Cards as Payment

All taxes now or hereafter levied by federal, state or local authority upon the sale of any of the forgoing products to be paid for by the purchaser. All quotations are subject to the conditions printed on the following pages if any and when accepted are subject to the approval of an officer of this company.

**TERMS: Will be based, in part, on credit review that is pulled from The Experian Business Division.
30 day Net Pay upon completion**

Prepared by Tracey Edgar · Whirlix Design Inc · tedgar@whirlix.com · 512-225-4314

Acceptance of Approval: The above prices, specifications, and conditions are satisfactory and accepted. You are hereby authorized to provide all items described above. Any balances not paid within thirty (30) days of the date of the invoice shall accrue interest at the rate of 18% per annum. Any action to construe, declare or enforce this contract shall only be brought in a court of competent jurisdiction with venue lying solely and exclusively in Dallas County, Texas. The prevailing party in any action brought to construe, declare or enforce this contract shall be entitled to recover its actual attorney’s fees, attorney’s travel time charges and expenses, paralegal fees, computer access and utilization charges, expert witness fees and expenses, costs, expenses and expenses of investigation, discovery, and litigation. The parties to this contract expressly waive the right to trial by jury of any cause of action or defense pertaining to this contract. The above prices, specifications, and conditions are satisfactory and accepted. You are hereby authorized to provide all items described above.

Date: _____ **Signature:** _____