



Date: 5/16/2024

Project: Falcon Pointe Splash

Location: 1813 Tranquility Lane Pflugerville, TX 78660

To: Shane Mize, Larry Foos & Jeff Achee - Pflugerville Parks and Recreation

Proposal Expires: 30 days from the above date

Please note that current fluctuations in material pricing may cause a proposal increase between now and The acceptance of this agreement.

BUYBOARD CONTRACT # 679-22, VENDOR # 3120

We are a self-reporting vendor for Buy Board. Please send all purchase orders, payments, etc. directly to The Whirlix Design team.

LANDSCAPE STRUCTURES PLAY EQUIPMENT

Series: *Landscape Structures Design # 1184904-01-01*
Surface: *Poured In Place by DuraPlay*
Installation: *By Factory Trained and Certified Installers*
Quantity/Sizes: *See Attached Renders*

Base Bid: \$130,066.19

- **Not To Exceed Contingency: \$13,800.00**

BuyBoard Discount: -\$5,711.19

TOTAL: \$138,155

(One Hundred Thirty-Eight Thousand, One Hundred Fifty-Five Dollars and Zero Cents)

- **Contingency not to exceed is for drainage and relocation of irrigation if needed. This covers anything in excess of what we've included in the base bid since we don't know what's existing until we get into the site. Balance of contingency will be deducted off final billing.**

Base Bid Includes:

Landscape Structures Playground Design # 1184904-01-01. Design Highlights:

- (1) Smart Play Motion with Play Table
- (1) Single Post Swing Frame – Installed At A 7 ft. Beam Height
- (2) Belt Swing Seats
- (1) SkyWays Cantilever Single Post Pyramid -16 ft. x 16 ft. x 14 ft. Entry Height
 - Includes Electronic Stamped Engineer Drawings
- Final Playground Colors TBD
- 1,482 sq feet PIP
 - 600 sq feet @ 2" PIP for 4' CFH
 - 882 sq feet @ 3.25" for 7' CFH
 - **50% Standard Color/50% Black Mix**
 - Flush to curb
 - Aromatic Binder
 - Trash Removal
 - 1,482 sq feet 4" stone base – 26 Tons
 - Site Security For Top Coat Cure
- Freight

Whirlix Design Inc.
1916 K Avenue
Plano, TX 75074



- Drainage / Drainage system
- Demo of Existing equipment and Trash Haul Off
- Grade Adjustment Inside The Playground Pit (Fill Dirt)
- Certified Installation
 - Orange fence included
 - Basic City shade permit included
- Full Submittal Package
- Warranty As Specified – Best in the Business!
- Buy Board Discount

Base Bid Excludes:

- Construction Fence – Metal
- Drilling Through Rocky Soil
- Hitting of New or Existing Sprinkler pipes
- Hitting of private electrical, water, sewer, internet, etc. that are not detectible during a commercial line location
- Sod Replacement due to Reasonable Path of Travel to Project or Play Area Location. We need access to project location.
- Surveying of Site
- Craning of Equipment
- Logistical Issues that Prevent Truck or Equipment Access to Site
- Special Augers or Drilling Equipment
- 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 (Playground Install)
- Dumpster
- Latrine on Site
- Permitting and Inspections
- Third Party Inspections
- Geotechnical Report
- Wet Stamped Engineering Drawings
- Textura, Oracle, etc.
- Professional Liability Insurance
- Construction Management Software Required for a Specific Project
- Payment, Performance, and Maintenance Bonds
- Use of Credit Cards as Payment
- Sales Tax
- Prevailing Wage
- Certified Payroll / Progress Billing
- Bid Bond
- Badging

Terms: [60% deposit at the time of order](#). Net 30 for Existing Customers. All new customers are subject to a credit check. Payment terms will be based, in part, on credit review that is pulled from The Experian Business Division. Pursuant to Tex. Prop. Code § 53.159, Whirlix will need all Bond information at the time of Signed Proposal, Contract, and / or Deposit.



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.

Prepared by **Josh Bailey** · Whirlix Design Inc · jbailey@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:** _____