

**CITY OF GRAND ISLAND, NEBRASKA
UTILITIES DEPARTMENT**

**DISTRIBUTION TRANSFORMERS
FORM OF CONTRACT AGREEMENT**

THIS AGREEMENT made and entered into, by and between:

ERMCO

hereinafter called the Contractor, and the City of Grand Island, Nebraska, hereinafter called the City.

WITNESSETH:

THAT, WHEREAS, in accordance with law, the City has caused contract documents to be prepared and an advertisement calling for bids to be published for Distribution Transformers; and

WHEREAS, the City, in the manner prescribed by law, has publicly opened, examined, and canvassed the bids submitted, and has determined the aforesaid Contractor to be the lowest responsive and responsible bidder, and has duly awarded to the said Contractor a contract therefore, for the sum or sums named in the Contractor's bid, a copy thereof being attached to and made a part of this contract;

NOW, THEREFORE, in consideration of the compensation to be paid to the Contractor and of the mutual agreements herein contained, the parties have agreed and hereby agree, the City for itself and its successors, and the Contractor for itself, himself, or themselves, and its, his, or their successors, as follows:

ARTICLE I. That the Contractor shall (a) furnish all tools, equipment, superintendence, transportation, and other construction materials, services and facilities; (b) furnish, as agent for the City, all materials, supplies and equipment specified and required to be incorporated in and form a permanent part of the completed work; (c) provide and perform all necessary labor; and (d) in a good substantial and workmanlike manner and in accordance with the requirements, stipulations, provisions, and conditions of the contract documents as listed in the attached General Specifications, said documents forming the contract and being as fully a part thereof as if repeated verbatim herein, perform, execute, construct and complete all work included in and covered by the City's official award of this contract to the said Contractor, such award being based on the acceptance by the City of the Contractor's bid;

ARTICLE II. That the City shall pay the Contractor for the procurement of three-phased pad-mount transformers detailed in this contract and the Contractor will accept, as full compensation, the unit price value listed on the bid sheet for all work covered by and included in the Contract award and designated in the foregoing Article I; payments thereof to be made in cash or its equivalent in the manner provided in the General Specifications.

ARTICLE III. The proposed pricing will commence as soon as possible after Contract execution, and that the Contract shall run through December 31, 2017.

IN WITNESS WHEREOF, the parties hereto have executed this Contract Agreement.

Contractor: ERMCO

By: Craig A. Tennant Date: 4/21/17

Title: V.P. Sales & Marketing

CITY OF GRAND ISLAND, NEBRASKA,

By: [Signature] Date: 4/24/17
Mayor

Attest: Rafael Edwards Date: 4/24/17
City Clerk

The contract and bond are in due form according to law and are hereby approved.

[Signature] Date: 4/24/17
Attorney for the City