

AGREEMENT

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by and between \_\_\_\_\_ (Name of Owner & Individual), hereinafter called "OWNER" and \_\_\_\_\_ doing business as (an individual) or (a partnership) or (a corporation) hereinafter called "CONTRACTOR".

WITNESSETH: That for an in consideration of the payment and agreements hereinafter mentioned:

1. The CONTRACTOR commence and complete the construction of \_\_\_\_\_  
\_\_\_\_\_
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within \_\_\_\_\_ calendar days after the date of the NOTICE TO PROCEED and will complete the same within \_\_\_\_\_ calendar days unless the period for completion is extended otherwise by the CONTRACT DOCUEMNTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUEMTNS and comply with the terms therein for the sum of \$ \_\_\_\_\_ as shown in the BID schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
  - INVITATION TO BIDS
  - INSTRUCTIONS FOR BIDDERS
  - BID
  - AGREEMENT
  - NOTICE OF AWARD
  - NOTICE TO PROCEED
  - CHANGE ORDER

6. GENERAL REQUIREMENTS

DRAWINGS prepared by Nemergut Consulting  
numbered \_\_\_\_\_ through \_\_\_\_\_, and dated \_\_\_\_\_  
SPECIFICATIONS prepared or issued by Glenn A. Johnson, P.E.  
dated \_\_\_\_\_.

7. The OWNER will pay the CONTRACTOR in the manner and at such times as set forth in the  
General Conditions such amounts as required by the CONTRACT DOCUMENTS.

8. The agreement shall be binding upon all parties hereto and their respective heirs, executors,  
administrators, successors and/or assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their  
duly authorized officials, this Agreement in three copies, each of which shall be deemed an  
original on the date first above written.

OWNER:

\_\_\_\_\_  
BY \_\_\_\_\_  
Name \_\_\_\_\_  
(Please Print)  
Title \_\_\_\_\_

(SEAL)  
ATTEST:

\_\_\_\_\_  
Name \_\_\_\_\_  
(Please Print)  
Title \_\_\_\_\_

CONTRACTOR:

\_\_\_\_\_  
BY \_\_\_\_\_  
(Please Print)  
Address \_\_\_\_\_  
\_\_\_\_\_

(SEAL)  
ATTEST:

\_\_\_\_\_  
Name \_\_\_\_\_  
(Please Print)  
\_\_\_\_\_

NOTICE OF AWARD

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PROJECT Description: \_\_\_\_\_

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated \_\_\_\_\_, 2023 and Invitation for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$ \_\_\_\_\_.

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND. Payment BOND and certificates of Insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said BONDS within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Owner  
By \_\_\_\_\_  
Title \_\_\_\_\_

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged.

By \_\_\_\_\_ this the \_\_\_\_\_ day of \_\_\_\_\_, 2023

By \_\_\_\_\_

Title \_\_\_\_\_