

NOTICE OF AWARD

Dated August 5, 2014

TO: **Johnson Construction Inc.**

OWNER'S PROJECT NO. 93128A-219

PROJECT: I-70 Exit 105 to Apple Tree Park Pedestrian Trail

CONTRACT FOR: Pedestrian Trail Construction

You are notified that your Bid dated **July 28, 2014**, for the above Contract has been considered.

You are the apparent successful Bidder and have been awarded a contract for **I-70 Exit 105 to Apple Tree Park Pedestrian Trail**.

The Contract Price of your Contract is **Seven Hundred Ninety Four Thousand Seven Hundred Ninety Three Dollars and Forty Five Cents (\$794,793.45)**.

Three copies of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

You must comply with the following conditions precedent within fifteen days of the date of this Notice of Award, that is by **August 20, 2014**.

1. You must deliver to the OWNER three fully executed counterparts of the Agreement, including all the Contract Documents, Performance and Payment Bonds. Each of the Contract Documents must bear your signature on the cover.
2. You must deliver with the executed Agreement the Contract Security (Bonds) as specified in the Instructions to Bidders (paragraph 17) and General Conditions (paragraph 5.1).
3. You must deliver with the executed Agreement, proof of insurance coverage as specified in the General Conditions (paragraph 5.6) and Supplementary General Conditions (paragraph 2.00).

NOTICE OF AWARD, PAGE 2

Failure to comply with these conditions within the time specified will entitle OWNER to consider your bid abandoned, to annul this Notice of Award and to declare your Bid Security forfeited.

Within ten days after you comply with those conditions, OWNER will return to you one fully signed counterpart of the Agreement with the Contract Documents attached.

Town of New Castle _____

Owner

By: _____

Authorized Signature

Tom Baker _____

Town Administrator _____

Title

AGREEMENT

THIS AGREEMENT, made this 1st day of August, 2014, by and between the **Town of New Castle**, hereinafter called "OWNER", and **Johnson Construction Inc.** doing business as a Corporation, hereinafter called "CONTRACTOR".

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

1. The CONTRACTOR will commence and complete the construction of **I-70 Exit 105 to Apple Tree Park Pedestrian Trail**
2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor and other service necessary for the construction and completion of the WORK described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 80 calendar days after the date of the NOTICE TO PROCEED and will complete the same by October 30, 2014 calendar days, unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The Contractor agrees to perform all of the Work described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of **Seven Hundred Ninety Four Thousand Seven Hundred Ninety Three Dollars and Forty Five Cents (\$794,793.45)** as shown in the BID SCHEDULE.
5. The term "CONTRACT DOCUMENTS" means and includes the following:
 - A. ADVERTISEMENT FOR BID
 - B. INSTRUCTIONS TO BIDDERS
 - C. BID
 - D. BID BOND
 - E. AGREEMENT
 - F. GENERAL CONDITIONS
 - G. SUPPLEMENTARY GENERAL CONDITIONS
 - H. PAYMENT BOND
 - I. PERFORMANCE BOND
 - J. NOTICE OF AWARD

- K. NOTICE TO PROCEED
- L. CHANGE ORDER
- M. DRAWINGS prepared by SGM numbered **1** through **30**, and dated **July 2014**.
- N. SPECIFICATIONS prepared and issued by SGM dated **July, 2014**.
- O. ADDENDA:
No. 1, dated July 28, 2014.

- 6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the GENERAL CONDITIONS such amounts as required by the CONTRACT DOCUMENTS.
- 7. This AGREEMENT shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.

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

OWNER: **Town of New Castle**

BY: _____

NAME: Bob Gordon _____

TITLE: Mayor _____

(SEAL)

ATTEST:

(please type)

NAME: _____

TITLE: _____

CONTRACTOR: **Johnson Construction Inc.**

BY: _____

NAME: _____

ADDRESS: **P.O. Box 1640, Rifle, CO 81650**

(SEAL)

ATTEST:

NAME: _____

TITLE: _____