

SECTION VI A
CONTRACT AGREEMENT

This Agreement, made and entered into this 16 day of May, 2018, between the CITY OF OREGON CITY ("CITY"), acting by and through the City Commission and Timbercreek 1 Construction, LLC ("CONTRACTOR").

Witnesseth, that the CONTRACTOR and the CITY, for the considerations stated herein, agree as follows:

ARTICLE I - Scope of Work

The CONTRACTOR hereby agrees to furnish all of the materials, equipment and labor necessary, and to perform all of the work for the project entitled: **Pool Concrete and Steel Column Repair at the Oregon City Swimming Pool** in accordance with the contract documents which are hereby made a part of this agreement.

The contract documents consist of:

Invitation to Bid Instructions to Bidders Bid Proposal and Bid Schedule Compliance with ORS 279C.840 (Certified Payroll) Resident Bidder Status Recycled Products Certification of Drug Testing Program Non-Collusion Statement Asbestos Certification Registrations (CCB#) Business License Certification of Non-Discrimination Certification of Compliance with Tax Law Bidder Responsibility Form/Customer Service Bid Bond First Tier Subcontractor Disclosure Form Oregon City Public Improvements Standard Conditions Contract Agreement	Statutory Conditions to Contract Agreement Performance Bond Payment Bond Schedule of Values Business Liability Insurance State of Oregon Statutory Public Works Bond General Conditions Prevailing Wage Rates for Public Works Contracts in Oregon dated <u>July 1, 2018</u> Prevailing Wage Apprenticeship Rates dated <u>July 1, 2018</u> Definitions of Covered Occupations for Public Works Contracts in Oregon dated <u>July 1, 2018</u> Contract Drawings Technical Specifications Standard and Guide Specifications for Construction (AAMA, ASTM, AA) as referenced by these documents Addenda: <u>1</u> All items included within these Contract Documents.
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The order of items cited above does not constitute an order of precedence different than that established in the special or standard specifications. Equivalent titles, which may be substituted for the above listed items, are included as if specifically named.

ARTICLE II - Time of Completion

The project shall be at substantial completion 152 (October 21, 2018) consecutive calendar days after the Notice to Proceed. The project shall be ready for final acceptance within 159 (October 27, 2018) consecutive calendar days after Notice to Proceed. Construction period is **September 1, 2018 – October 27, 2018**.

ARTICLE III – Contract Amount

The Contract Amount for the work covered by this Agreement is estimated to be ONE HUNDRED NINETY NINE THOUSAND ONE HUNDRED AND FOURTH EIGHTS dollars (\$199,148.00)

ARTICLE IV - Warranty and Quality of Work

In addition to all other warranties, express or implied, that are part of this Agreement, the Contractor expressly warrants to the City for a period of one year from acceptance of the work by the City that all materials and equipment furnished under this contract will be new, unless otherwise specified, and that the work will be of good quality, free from faults and defects and in conformance with the City's specifications. Work that does not conform to these standards shall be considered defective.

Contractor shall, at its own expense, make good and repair any and all defects arising from faulty workmanship or materials, if the defective work is discovered within the one-year warranty period and notice thereof is given to the Contractor within 60 days after the expiration of the warranty period. If required by the City, the Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment used to repair the defect.

In witness whereof, the parties hereto have executed this agreement, the day and year first above written.

CITY OF OREGON CITY

(TIMBERCREEK 1 CONSTRUCTION, LLC)

by: _____
Anthony Konkol
City Manager

Justin Pollock
Printed Name
by: _____
Authorized signature

by: _____
Phil Lewis
Community Services Director

Owner
Title

Federal Taxpayer ID Number:

87-0799158

Approved as to Legal Sufficiency:

Address:

By: _____
City Attorney

Po Box 2467
Oregon City OR 97045

City Commission Award Date:

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