

Equipment Supply Agreement

Date: 10-23-2023

Purchase Order No. _____

Project Name: City of Craig Water Treatment Plant - Electrical Gear Purchase

Buyer City of Craig
Address 300 W. 4th Street
Craig, CO 81625

Attention: Peter Brixius

Project City of Craig Water Treatment Plant
Site 111 Ranney Street
Craig, CO 81625

City of Craig is the "Buyer" and Smith Power Products, Inc is the "Seller". This letter agreement defines Buyer's required terms and conditions for sole source supply of equipment. Terms listed herein supplement and, where in conflict, supersede manufacturer's standard terms and conditions.

1. Scope of services:

- Provide the following equipment, each as a separate bid item, delivered to the Project Site. Refer to attached technical specifications for detailed performance and submittal requirements.

	Description	Preferred Delivery	Required Delivery	Cost	Guaranteed Delivery Date
BID ITEM 1	Automatic Transfer Switch (ATS)	Spring 2024	Fall 2024	\$49,557.00	43 Weeks
BID ITEM 2	Main Distribution Switchboard (MDS)	Spring 2024	Fall 2024	N/A	N/A
BID ITEM 3	(2) Motor Control Centers (MCC-A and MCC-B)	Spring 2024	Fall 2024	N/A	N/A
BID ITEM 4	Extended Warranties for the Above Items	N/A	N/A	N/A	N/A

- Vendors are invited to bid on any or all of the bid items. Owner may award purchase contracts for separate bid items to different vendors if deemed in their best interest.
- If guaranteed delivery dates are dependent upon order dates, provide the following additional information:
 - The dates by which the submittals must be approved in order to guarantee the delivery date for each item.
 - How the cost and guaranteed delivery date of each item will change if the submittal is not approved by that date.

- Award will be at Owner's discretion based solely on their determination of the best interest of the project, including but not limited to:
 - Cost
 - Delivery Date
 - Warranty Terms
 - Project is funded by DOLA and is therefore subject to the programs Disadvantaged Business Enterprise (DBE), Building America, Buy America (BABA), and American Iron and Steel (AIS) requirements.
2. The manufacturer's general terms and conditions will apply except as modified herein and in the attached product specifications.
3. Contract dates:
- Invitation to Bid / Documents Available Wednesday, October 18
 - Proposals Due (Includes Shop Drawings) Monday, November 06, 12:00 PM MST
 - Award Notification Wednesday, November 15
 - Shop Drawing Approval Thursday, November 16
 - Contract Execution Friday, November 17
- Installation project to be bid separately at a later date. Project construction schedule is to be determined based on the delivery dates offered by successful vendor(s).
4. Payment Terms
- a. 15% upon fully executed contract
 - b. 80% upon delivery of equipment to the project site, and acceptance by installing contractor
 - c. 5% upon successful startup and acceptance by Owner.
5. Bid Requirements
- Provide line-item costs for each bid item, along with guaranteed delivery date.
 - Each line item shall present the complete cost for that piece of equipment, including shipping F.O.B. destination, to allow for standalone award.
 - Provide all technical materials described in the attached specification document for each piece of equipment.
 - Bids due to City of Craig clerk by 12:00 PM MST on the date shown above. Electronic submittals only.

Please indicate your agreement to the foregoing by countersigning this letter, retain one fully signed counterpart for your files and return a copy to SGM via email at chadp@sgm-inc.com.

Agreed to above:

Smith Power Products, Inc [Seller]

Signature: _____

By: Darrell Caldwell

{Typed name}

Title: Sales

Date: 10-23-2023

Agreed to above:

{Buyer}

Signature: _____

By: _____

{Typed Name}

Title: _____

Date: _____