



CONTRACT AGREEMENT

City of Missoula Parks and Recreation Parks & Trails Bond Playground Equipment

This agreement made and entered into this ____ day of _____, 2016, and between the City of Missoula and Northwest Playground Equipment, Inc., P.O. Box 2410, Issaquah, WA 98027, hereinafter referred to as "Supplier," for the scope of work listed below.

A. SCOPE OF WORK

Supplier shall furnish all labor, equipment and materials necessary to complete the following items:

1. The supply of specified Freenotes Harmony Park playground equipment as shown in the Northwest Playground Equipment, Inc., proposal dated January 26, 2016.

B. TIME OF COMPLETION

Work shall begin as soon as possible after the issuance of the Notice to Proceed. Manufacture and delivery of playground equipment and materials is to be completed on or before May 15, 2016.

C. DELIVERY

Equipment shall be shipped by common carrier and delivered FOB to: City of Missoula, 1305 Scott St, Missoula, MT 59801. Delivery shall occur on a normal business day between the hours of 9:00 A.M. and 2:00 P.M. Twenty-Four hours advance notice to the City shall be given prior to arrival at the specified delivery location. Contact phone number is (406) 552-6253.

D. PAYMENT

Upon delivery of all specified playground equipment to the City, the City shall pay Supplier in accordance with the total price of **FORTY-THREE THOUSAND THREE HUNDRED FIFTY-NINE DOLLARS AND NINETY-THREE CENTS (\$43,359.93)** for items listed on the Quotation Proposal dated January 26, 2016. The payment shall be full compensation for the equipment described on the attached Quotation Proposal.

E. NON-DISCRIMINATION

All hiring shall be on the basis of merit and qualification and there shall be no discrimination in employment on the basis race, ancestry, color, physical or mental disability, religion, national origin, sex, age, marital or familial status, creed, ex-offender status, physical condition, political belief, public assistance status or sexual orientation, gender identity or expression, except where these criteria are reasonable bona fide occupational qualifications.

F. DEFAULT AND TERMINATION:

If either party fails to comply with any condition of this Agreement at the time or in the manner provided for, the other party, at its option, may terminate this Agreement and be released from all obligations if the default is not cured within ten (10) days after written notice is provided to the defaulting party. Said notice shall set forth the items to be cured. Additionally, the non-defaulting party may bring suit for damages, specific performance, and any other remedy provided by law. These remedies are cumulative and not exclusive. Use of one remedy does not preclude use of the others. Notices shall be provided in writing and hand-

delivered or mailed to the parties at the addresses set forth in the first paragraph of this Agreement.

G. MODIFICATION AND ASSIGNABILITY: This document contains the entire agreement between the parties and no statements, promises or inducements made by either party or agents of either party, which are not contained in this written Agreement, may be considered valid or binding. This Agreement may not be enlarged, modified or altered except by written agreement signed by both parties hereto. The Supplier may not subcontract or assign Supplier's rights, including the right to compensation or duties arising hereunder, without the prior written consent of City. Any subcontractor or assignee will be bound by all of the terms and conditions of this Agreement.

H. DOCUMENTS AND DRAWINGS

The following documents shall be made a part of this Contract Agreement:

1. Northwest Playground Equipment, Inc Equipment Proposal dated January 26, 2016

ACKNOWLEDGMENT AND APPROVAL OF AGREEMENT:

Supplier –

By: _____

Date: _____

Print Name: _____

Northwest Playground Equipment, Inc.

City of Missoula –

By: _____

Date: _____

**JOHN ENGEN
MAYOR**

By: _____

Date: _____

**(Approved as to form)
JIM NUGENT
CITY ATTORNEY**

Attest:

**MARTHA L REHBEIN, CMC
CITY CLERK**

Date: _____

(Seal)



Northwest Playground Equipment, Inc.

PO Box 2410, Issaquah, WA 98027-0109
 Phone (425) 313-9161 FAX (425) 313-9194
 Email: kristina@nwplayground.com

QUOTE

Quote # 1262016KM1
 Date: 1/26/2016

To: City of Missoula
 1305 Scott St.
 Missoula, MT 59802

Name: David Selvage
 Email: dselvage@ci.missoula.mt.us

Phone: 406.552.6252
 Fax:

Item #	Qty		Price	Total Price
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Equipment Freenotes Harmony Park

Bonner Park

Set of 7 aluminum contrabass chimes and steel posts for in-ground installation.

Contra Chimes	1	Includes 2 steel mallet poles for in-ground installation and 4 mallets. Color: Silver.	\$ 5,100.00	\$ 5,100.00
Tuned Drums	1	Set of 5 drums, in-ground installation. Size: Normal. Color: Rainbow.	\$ 2,900.00	\$ 2,900.00
Mallet Contra Chimes	2	Individual mallet for contrabass chimes with 34" leash.	\$ 88.00	\$ 176.00

Skyview Park

Resonated aluminum and plastic frame xylophone with 18 notes. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Red.

Duet	1	Resonated aluminum and plastic frame xylophone with 18 notes. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Red.	\$ 3,460.00	\$ 3,460.00
Tuned Drums	1	Set of 5 drums, in-ground installation. Size: Normal. Color: Rainbow.	\$ 2,900.00	\$ 2,900.00
Mallet Duet	2	Clear, firm mallet head, 26" leash.	\$ 88.00	\$ 176.00

Greenough Park

Aluminum and plastic frame metallophone with 11 individually-resonated, aluminum chimes. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Tan.

Griffin Weenote	1	Aluminum and plastic frame metallophone with 11 individually-resonated, aluminum chimes. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Tan.	\$ 2,920.00	\$ 2,920.00
Tuned Drums	1	Set of 5 drums, in-ground installation. Size: Normal. Color: Rainbow.	\$ 2,900.00	\$ 2,900.00
Mallet Griffin	2	Clear, firm mallet head, 34" leash.	\$ 88.00	\$ 176.00

Rainbow Park

Vertical array of 8 stainless steel bells. Includes 1 round, recycled plastic post for in-ground installation and 2 mallets. Color: Silver.

Pagoda Bells	1	Vertical array of 8 stainless steel bells. Includes 1 round, recycled plastic post for in-ground installation and 2 mallets. Color: Silver.	\$ 3,336.00	\$ 3,336.00
Mallet Pagoda Bells	2	Clear, firm mallet head, short handle, 34" leash.	\$ 88.00	\$ 176.00

Whitaker Park

Aluminum frame metallophone with 23 individually-resonated, aluminum keys. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Green.

Pegasus	1	Aluminum frame metallophone with 23 individually-resonated, aluminum keys. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Green.	\$ 4,100.00	\$ 4,100.00
Mallet Pegasus	2	Clear, firm mallet head, 26" leash.	\$ 88.00	\$ 176.00

Northside Park

Aluminum and plastic frame metallophone with 26 individually-resonated, aluminum keys. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Orange.

Swirl	1	Aluminum and plastic frame metallophone with 26 individually-resonated, aluminum keys. Includes 2 recycled plastic posts for in-ground installation and 2 mallets. Color: Orange.	\$ 5,100.00	\$ 5,100.00
Tuned Drums	1	Set of 5 drums, in-ground installation. Size: Normal. Color: Rainbow.	\$ 2,900.00	\$ 2,900.00
Mallet Swirl	2	Clear, firm mallet head, 34" leash.	\$ 88.00	\$ 176.00

Wapikiya Park

3 Instruments, 2 mallets for each instrument, recycled plastic posts for in-ground installation. Stock colors, no substitutions. Merry - Green, Piper - Brown, Griffin - Tan.

Weenotes Ensemble	1	3 Instruments, 2 mallets for each instrument, recycled plastic posts for in-ground installation. Stock colors, no substitutions. Merry - Green, Piper - Brown, Griffin - Tan.	\$ 6,908.00	\$ 6,908.00
Mallet Merry, Piper	4	Clear, firm mallet head, 26" leash used with Merry and Piper.	\$ 88.00	\$ 352.00
Mallet, Griffin	2	Clear, firm mallet head, 34" leash used with Griffin.	\$ 88.00	\$ 176.00

Equipment Subtotal \$ 44,108.00

Northwest Playground Equipment Discount: NPEI 5% \$ (2,205.40)

Freenotes Freight: \$ 1,457.33

Equipment Total (less tax): \$ 43,359.93

CERTIFIED INSTALLATION

Installation is Not included.

NOTE: **Please See Exclusions & Initial Spots (3) on Page 2 of Quote and Terms - If Not Noted in Above Quote

Credit card fee 0 Payment by Credit Card?
 Location Code:

Installation Total: \$ -
 CC Fee 3.0% \$ -
 Tax: 0.0% \$ -

ORDER TOTAL: \$ 43,359.93