

X STANDARD FORM OF AGREEMENT

STATE OF TEXAS
COUNTY OF BELL

THIS AGREEMENT is made and entered into this 1st day of April, 2022, by and between the City of Killeen, a municipal corporation, organized and existing under laws of the State of Texas, acting through its City Manager or other duly authorized designee, hereinafter referred to as the "Owner" and American Lube Supply Inc. of the City of San Antonio, TX, County of Bexar, and the State of Texas, hereinafter referred to as the "CONTRACTOR."

In consideration of the promises, performances, payments, and agreements set forth herein, CONTRACTOR hereby agrees to deliver:

Supplies and services specified in **Bid # 22-13 Petroleum Products and Diesel Exhaust Fluid** and all Work in accordance with the, Invitation to Bid and Addenda (if applicable), which are incorporated herein by reference and made a part hereof and which have been prepared by the **City of Killeen** and approved by OWNER, and OWNER agrees to pay the CONTRACTOR the total amount of petroleum products purchased per Bid #22-13 pricing.

CONTRACTOR hereby agrees to deliver petroleum products and diesel exhaust fluid as noted in the specifications section of Bid 22-13 after the date contained in the notice of award given to CONTRACTOR.

Waiver of any breach of the Contract shall not constitute waiver of any subsequent breach.

OWNER agrees to pay CONTRACTOR from available funds for performance of the Contract in accordance with the Bid and the provisions of the Contract Documents, subject to additions and deductions, as provided therein.

The OWNER's payment obligations are payable only and solely from funds available for the purposes of this Agreement.

Although drafted by the OWNER, this Agreement, in event of any disputes over its meaning or application, shall be interpreted fairly and reasonably, and neither more strongly for nor against either party.

OWNER

By: _____

Jonathan Locke
City of Killeen

Executive Director of Finance
Title of Signatory

Date

By: _____

Traci Briggs
City Attorney

Date

CONTRACTOR

By: _____

Date

Printed Name of Signatory

Title of Signatory, Authorized Representative

ATTEST (as applicable)
