

STATE OF TEXAS  
COUNTY OF BELL

THIS AGREEMENT is made and entered into this 25th day of April, 2017, 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 HUECOR, INC., of the City of Dallas, Counties of \_\_\_\_\_ 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:

**Bid # 17-08 Operable Panel Partition Replacement** 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:

\$248,500.00

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: \_\_\_\_\_  
City of Killeen *WA*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title of Signatory

By: \_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

CONTRACTOR

By: \_\_\_\_\_  
*[Signature]*

4/6/17  
Date

Inson Edmundson  
Printed Name of Signatory

General Manager  
Title of Signatory, Authorized Representative

ATTEST (as applicable)

Sanger Marzila