

**CONTRACT
CONTRACT FOR PURCHASE OF UNLEADED GASOLINE**

This Contract is entered into effective as of the 1 day of April, 2024, by and between The City of Killeen ("Buyer") and Fikes Wholesale Inc ("Seller").

WHEREAS, The City of Killeen has solicited for bids for the purchase of unleaded gasoline for delivery to Killeen-Fort Hood Regional Airport (Bid No. 24-12);

AND, WHEREAS, Fikes Wholesale Inc, submitted a responsive bid in response to said request for bids;

AND, WHEREAS, on _____, the City Council of the City of Killeen approved the award of a two year purchase contract to Fikes Wholesale Inc at a April 1, 2024 indexed price of \$ 0.13 per gallon for unleaded gasoline and \$ 0.13 per gallon for clear diesel.

NOW, THEREFORE, the parties state and agree as follows:

1. The full terms and specifications of the contract are as stated in the completed and signed bid submittal from Fikes Wholesale Inc, dated December 21, 2023 and are incorporated herein.

2. This contract may be extended for two (1) year period(s) if agreed to by both parties. If neither party has notified the other party otherwise in writing between thirty (30) and sixty (60) days prior to the expiration of the initial term, it will be assumed that both parties agree to the extension, and the contract will automatically be so extended under the same terms.

3. Texas law provides that a governmental entity may not enter into contracts over for goods and services valued at \$100,000 or more with a company that employs at least 10 full-time employees unless the company provides written verification regarding aspects of the company's business dealings.

- Texas Government Code, Chapter 2271 – the company must verify that it does not boycott Israel and will not boycott Israel during the term of the contract. Boycott Israel is defined in Government Code Chapter 808.
- Texas Government Code, Chapter 2274 – the company must verify that it does not boycott energy companies and will no boycott energy companies during the term of the contract. Boycott energy company is defined in Government Code Chapter 809
- Texas Government Code, Chapter 2274 – the company must verify that it does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate during the term of the contract against a firearm entity or firearm trade association. Verification is not required from a sole source provider. Discriminate, firearm entity and firearm trade association are defined in Government Code Chapter 2274.

4. Vendor hereby verifies that it does not and will not engage in business with Iran, Sudan or a foreign terrorist organization.

SO AGREED:


City of Killeen

By: _____

Kent Cagle 
City Manager

Date: _____

By: _____


David Drew
Vice President of Supply,
Transportation, and Wholesale

Date: _____