

**KANSAS STATE UNIVERSITY
PURCHASING OFFICE
21 ANDERSON HALL
MANHATTAN, KS 66506
PHONE 785-532-6214 FAX 785-532-5577**

CONTRACT SIGNATURE SHEET

Date: 4/12/2011
CONTRACT NO.: 40240
Replaces Contract No.: NA

Procurement Officer: Chris Dekat, CPPB
Phone: 785-532-5469
E-Mail: cidekat@k-state.edu

Item: Road Aggregate
Primary Using Department: Kansas State University
Period of Contract: 5/1/2011 through 4/30/2016

Contractor Information: Bayer Construction Co., Inc.
P O Box 889
Manhattan, KS 66505-0889
CONTACT: Neil Horton
Phone: 785-776-8839; FAX: 785-776-8968; e-mail: neilh@bayerconst.com

Prices: as bid on IFB 40240 and any addendums
Payment Terms: N30
Shipping Information: Dest, Ppd & Allowed

The parties agree as follows:

1. Subject to the terms and conditions of this contract and companion bid documents, Kansas State University hereby accepts the offer of Contractor as expressed by Contractor's bid submitted to K-State Purchasing in response to above referenced contract/quote number.
2. It is understood and agreed by the parties that pursuant to the bid, Contractor agrees to furnish products or services for the period noted above on orders of the Department(s) at the price or prices contained in the bid. Department(s) agrees to pay on delivery of the item(s) the amount(s) billed by Contractor in accordance with the bid as shown on delivery invoice(s) of the Contractor to the Department(s). Payment will be made as soon after receipt of the invoice(s) as possible in accordance with state law.
3. Failure of Contractor to furnish the item(s) in accordance with the bid specifications incorporated into this contract by reference, or failure of Contractor to deliver the item(s) in accordance with any time schedules prescribed in this contract or any documents incorporated by reference into this contract shall result in forfeiture of any performance bond of Contractor and/or in termination of this contract at the option of the University.
4. It is understood and agreed that the provisions set out in the K-State Purchasing Office bid document for this contract are incorporated and made a part of this contract by reference as though fully set forth herein. Contractor agrees and understands that these documents are controlling over Contractor's bid, invoice, department order forms or any other documents of the Contractor.
5. The provisions found in Contractual Provisions Attachment, is incorporated and made a part of this contract by reference.
6. In the event of any disputes regarding the terms and conditions of this Contract or payments alleged to be due and owing, Contractor's sole remedy shall be with the Department that placed the order.

Contractor: Bayer Construction Co., Inc.

By: 

Printed Name: Neil W. Horton

Title: VP

KANSAS STATE UNIVERSITY

By: 

CARLA BISHOP
DIRECTOR OF PURCHASING

RECEIVED KSU

APR 13 2011

PURCHASING

Closing Date 3/24/11

Item Road Aggregate

Kansas State University

SIGNATURE SHEET

We submit a proposal to furnish requirements during the contract period in accordance with the specifications and Schedule of Supplies.

LEGAL NAME OF PERSON, FIRM OR CORPORATION Bayer Construction Co., Inc.

TELEPHONE (TOLL FREE) NUMBER 785-776-8839 FAX NUMBER 785-776-8968

ADDRESS P.O. Box 889

CITY & STATE Manhattan, KS ZIP CODE 66505-0889

SS OR FEIN NUMBER 48 0548636

SIGNATURE Neil W. Horton

TYPED NAME OF SIGNATURE Neil W. Horton

TITLE VP

DATE March 11, 2011

If awarded a contract and purchase orders are to be directed to an address other than above, indicate mailing address and telephone number below.

ADDRESS _____

CITY & STATE _____ ZIP CODE _____

TELEPHONE (TOLL FREE) NUMBER _____ FAX NUMBER _____

E-MAIL _____

BID SHEET

<u>Description</u>	<u>Annual Estimated Amount</u>	<u>Price</u>
AB-3 Gravel	unknown	\$ <u>15⁴⁰</u> per ton Delivered to main campus
AB-3 Gravel	200 Ton	\$ <u>20²⁰</u> per ton Delivered to Konza Prairie
1-1/4" Road Rock	unknown	\$ <u>15⁰⁰</u> per ton Delivered to main campus
1-1/4" Road Rock	800 Ton	\$ <u>19⁷⁵</u> per ton Delivered to Konza Prairie