KANSAS STATE UNIVERSITY
PURCHASING OFFICE
21 ANDERSON HALL
919 MID-CAMPUS Dr. NORTH
MANHATTAN, KS 66506
PHONE 785-532-6214; FAX 785-532-5577

CONTRACT AMENDMENT 1

Date: March 9, 2016
Procurement Officer: Julie Wilburn
Contract No.: 40489
Phone: 785-532-6214
Replaces Contract No: N/A
E-Mail: kspurch@k-state.edu

Item:
On-Call Landscaping and Irrigation Services Contract

Primary Using Department:
Kansas State University-Facilities (Manhattan & Salina campuses) and
Housing & Dining Services

Period of Contract:
March 1, 2016 through February 29, 2018

Contractor Information:
Rothwell Landscape, Inc.
1607 Fair Lane
Manhattan, KS 66502

Contact Information:
Joseph Lyon
Phone: 785-539-1799; Fax: 785-539-1794
E-mail: joe@rothwelllandscape.com

Prices: See attached pricing from RFP #40489 (Best and Final Offer)
Payment Terms: Net 30

Clarification:
Materials percentage markup for hard goods and plant materials must be
based on the cost of materials to the contractor from usual sources of
supply with all usual trade practices discounts deducted. (Actual
wholesale, no retail accepted.)
KANSAS STATE UNIVERSITY
PURCHASING OFFICE
21 ANDERSON HALL
919 MID-CAMPUS DRIVE
MANHATTAN, KS 66506
PHONE 785-532-6214  FAX 785-532-5577

CONTRACT SIGNATURE SHEET

Date: 03/01/2016
CONTRACT NO.: 40489
Replaces Contract No.: 40225

Procurement Officer: Cathy Oehm
Phone: 785-532-6214
E-mail: cathyo@k-state.edu

Item: ON-CALL LANDSCAPING AND IRRIGATION SERVICES CONTRACT
Primary Using Department: Kansas State University – Division of Facilities (Manhattan & Salina campuses) and Housing & Dining Services
Period of Contract: March 1, 2016 through February 29, 2018
Contractor Information: Rothwell Landscape, Inc.
1607 Fair Lane
Manhattan, KS 66502
CONTACT: Joseph Lyon
P: 785-539-1799 ; F: 785-539-1794 ; E: joe@rothwelllandscape.com
Prices: See Attached Pricing from RFP #40489 (Best and Final Offer)
Payment Terms: Net 30

The parties agree as follows:

1. Subject to the terms and conditions of this contract and companion Contract Award document, K-State Purchasing 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 from 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 K-State Purchasing.

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.

Rothwell Landscape, Inc.

By: ____________________________
Printed Name: Joe Lyon
Title: Landscape Designer/Salesperson

KANSAS STATE UNIVERSITY

By: ____________________________
CARLA BISHOP
DIRECTOR OF PURCHASING
## Contract Pricing

<table>
<thead>
<tr>
<th>Position</th>
<th>Normal Hourly Rate</th>
<th>After Hour Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Site Supervisor (Foreman)</td>
<td>$550</td>
<td>$82.50</td>
</tr>
<tr>
<td>Manager</td>
<td>$560</td>
<td>$80</td>
</tr>
<tr>
<td>Laborer</td>
<td>$550</td>
<td>$75</td>
</tr>
<tr>
<td>Clerical</td>
<td>$340</td>
<td>$60</td>
</tr>
<tr>
<td>Operations</td>
<td>$555</td>
<td>$82.50</td>
</tr>
<tr>
<td>Design Fees</td>
<td>$580</td>
<td>$90</td>
</tr>
</tbody>
</table>

### Overtime Percentage Markup

<table>
<thead>
<tr>
<th>Overtime Percentage</th>
<th>Markup</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normal Overtime %</td>
<td>150</td>
</tr>
<tr>
<td>Sunday Overtime %</td>
<td>200</td>
</tr>
<tr>
<td>Holiday Overtime %</td>
<td>200</td>
</tr>
</tbody>
</table>

### Materials Percentage Markup

<table>
<thead>
<tr>
<th>Material Type</th>
<th>Hard Goods</th>
<th>Plant Material</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - $1,000</td>
<td>20</td>
<td>50</td>
</tr>
<tr>
<td>$1,001 - $5,000</td>
<td>20</td>
<td>50</td>
</tr>
<tr>
<td>$5,001 - $25,000</td>
<td>30</td>
<td>50</td>
</tr>
<tr>
<td>Over $25,000</td>
<td>25</td>
<td>40</td>
</tr>
</tbody>
</table>

### Markup Rates

- % Markup on Hard Good Materials Purchased: 30
- % Markup on Plant Materials Purchased: 60
- % Markup on Subcontractors Hired: 10
- % Markup on Equipment Rental: 10
- Mobilization Charge for Manhattan, Kan.: 0
- Mobilization Charge for Other Locations: N/A

### Locations Able to Provide Services

<table>
<thead>
<tr>
<th>Location</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Riley &amp; Pottawatomie Counties</td>
<td>Yes</td>
</tr>
<tr>
<td>Sedgwick County</td>
<td>No</td>
</tr>
<tr>
<td>Northeast Kansas</td>
<td>No</td>
</tr>
<tr>
<td>North Central Kansas</td>
<td>No</td>
</tr>
<tr>
<td>Northwest Kansas</td>
<td>No</td>
</tr>
<tr>
<td>Southeast Kansas</td>
<td>No</td>
</tr>
<tr>
<td>South Central Kansas</td>
<td>No</td>
</tr>
<tr>
<td>Southwest Kansas</td>
<td>No</td>
</tr>
</tbody>
</table>

### Services that are available:

- Professional designed and installed landscaping
- Irrigation systems
- Retaining walls as specified per project
- Fertilization programs
- Landscape maintenance
- Bulk mulch delivery