

**SECTION 00 52 00.00
AGREEMENT**

THIS AGREEMENT made this the 31st day of May, 2023, by and between **Lester Contracting, Inc.** (a corporation organized and existing under the laws of the State of Texas) hereinafter called the "Contractor", and **Town of Fulton** hereinafter called the "Owner."

WITNESSETH, that the Contractor and the Owner for the considerations stated herein mutually agree as follows:

ARTICLE 1. Statement of Work. The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services, including utility and transportation services, and perform and complete all work required for the construction of the Improvements embraced in the Project; namely, **TOWN OF FULTON PRAIRIE ROAD IMPROVEMENTS FAIN PROJECT NO. 4332DRTXP0000001** for the Federal Emergency Management Agency (FEMA) Public Assistance Program, all in strict accordance with the contract documents including all addenda thereto, numbered Addendum #1, dated July 11, 2022, all as prepared by **Hanson Professional Services**, acting and in these contract documents preparation, referred to as the "Engineer".

ARTICLE 2. The Contract Price. The Owner will pay the Contractor for the performance of the Contract in current funds, for the total quantities of work performed at the *unit prices* stipulated in the Bid for the several respective items of work completed subject to additions and deductions as provided in **\$468,790.00** hereof.

ARTICLE 3. The Contract. The executed contract documents shall consist of the following components:

- | | |
|----------------------------|---|
| a. This Agreement | f. General Conditions, Part I |
| b. Addenda | g. Special Conditions |
| c. Invitation for Bids | h. Technical Specifications |
| d. Instructions to Bidders | i. Drawings (as listed in the Schedule of Drawings) |
| e. Signed Copy of Bid | j. [Add any applicable documents] |

ARTICLE 4. Performance. Work, in accordance with the Contract dated 5/31/2023, shall commence on or before August 2nd, 2023, and Contractor shall complete the WORK within 120 consecutive calendar days thereafter. The date of completion of all WORK is therefore November 29th, 2023.

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this

Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern, except as otherwise specifically stated.

Procurement and Contracting Requirements

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in triplicate original copies on the day and year first above written.

Lester Contracting, Inc.

(The Contractor)



By Ken Lesty Jr

Title President

The Town of Fulton

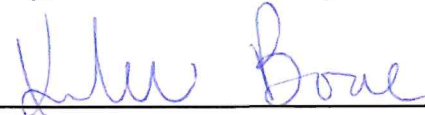
(Owner)

By _____

Title _____

Corporate Certifications

I, Kendra Boone, certify that I am the Secretary of the corporation named as Contractor herein; that Ken Lester, Jr. who signed this Agreement on behalf of the Contractor, was then President of said corporation; that said Agreement was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

Corporate  Seal (Corporate Secretary)

Procurement and Contracting Requirements

END OF SECTION