Date: **10/24/2024**
Project: **Joshua City Park and Splash Pad**
Location: **Joshua, TX**

To: Steven Gill

Proposal Expires: 30 Days from The Above Date
Please note that current fluctuations in material pricing may cause a proposal increase between now and The acceptance of this agreement.

Series:	Skyways by Landscape Structures
Installation:	*By Factory Trained and Certified Installers*
Quantity/Sizes:	*SkyWays Joined Hypar Sails*

SkyWays Joined Hypar Sails: $72,795.00
Engineering/Freight/Install/Permit: $26,705.00
Base Bid: *$99,500.00*

(Ninety-Nine Thousand Five Hundred Dollars)

Base Bid Includes:
- Full Submittal Package
- SkyWays Joined Hypar Sails
- Warranty As Specified – Best in the Business!
- Certified Installation
- Freight
- Permit

Base Bid Excludes (unless otherwise noted):
- Sales Tax
- Textura, Oracle, etc.
- Professional Liability Insurance
- Construction Management Software Required for a Specific Project
- Payment, Performance, and Maintenance Bonds
- Use of Credit Cards as Payment
- Demolition of Existing Structure
- Excavation and Removal of Soil
- Haul off or On-Site Disposal of Remaining Dirt
- TuffTimber or Concrete Border
- Drainage
- Engineered Wood Fiber or Surfacing
- Geotextile Fabric
- **Drilling Through Rocky Soil**
- Hitting of New or Existing Sprinkler pipes
- Hitting of Private Electric, Water, Sewer, Internet, or any other Utility Lines that are Not Detectible by Commercial Line Location.

Whirlix Design Inc.
1916 K Ave
Plano TX 75074

- o Sod Replacement due to Reasonable Path of Travel to Project or Play Area Location. We need access to the project location.
- o Surveying of Site
- o Craning of Equipment
- o Logistical Issues that Prevent Truck or Equipment Access to Site
- o Special Augers or Drilling Equipment
- o Certified Payroll / Progress Billing
- o Setting of Control Points or Benchmarks
- o Remobilization Charges Due to Weather or Project Delays
- o Offsite Storage of Equipment Due to Weather or Project Related Delays
- o On Site Security
- o Permitting and Inspections
- o Soil Testing (If required)
- o Third Party Inspections
- o Dumpster
- o Latrine on Site
- o Geotechnical Report
- o Wet Stamped Engineering Drawings

Terms: Net 30 for Existing Customers. All new customers are subject to a credit check and Possible deposit.

Payment terms will be based, in part, on credit review that is pulled from The Experian Business Division.

Pursuant to Tex. Prop. Code § 53.159, Whirlix will need any and all Bond information at the time of Signed Proposal, Contract, and / or Deposit.

All taxes now or hereafter levied by federal, state or local authority upon the sale of any of the forgoing products   to be paid for by the purchaser. All quotations are subject to the conditions printed on the following pages if any and when accepted are subject to the approval of an officer of this company.

Prepared by Kenny Carroll · Whirlix Design Inc · kcarroll@whirlix.com · 469-512-5602

Acceptance of Approval: The above prices, specifications, and conditions are satisfactory and accepted. You are hereby authorized to provide all items described above. Any balances not paid within thirty (30) days of the date of the invoice shall accrue interest at the rate of 18% per annum.   Any action to construe, declare or enforce this contract shall only be brought in a court of competent jurisdiction with venue lying solely and exclusively in Dallas County, Texas. The prevailing party in any action brought to construe, declare or enforce this contract shall be entitled to recover its actual attorney's fees, attorney's travel time charges and expenses, paralegal fees, computer access and utilization charges, expert witness fees and expenses, costs, expenses and expenses of investigation, discovery, and litigation. The parties to this contract expressly waive the right to trial by jury of any cause of action or defense pertaining to this contract. The above prices, specifications, and conditions are satisfactory and accepted. You are hereby authorized to provide all items described above.

Date: _____ Signature: _____

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