

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 20 24, by and between _____

WEBER COUNTY, hereinafter called "OWNER" and Randy Marriott Construction, doing
(OWNER's Name) (CONTRACTOR's Name)

business as a Corporation hereinafter called "CONTRACTOR".
(Insert Corporation, Partnership, or Individual as appropriate)

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence and complete the construction of:

Project consists of the modification of an existing storm drain diversion box near 2500 North Sierra Drive in Eden, Utah and the construction of a new 36-inch reinforced concrete pipe for approximately 5,400 linear feet. The proposed alignment is in an existing easement or right of way along the back of homes and along roads with the ending of the project being near 5300 East 2200 North.

2. The CONTRACTOR will furnish all of the material, supplies, tools, equipment, labor, and other services necessary for the construction and completion of the Project described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 10 calendar days after the date of the NOTICE TO PROCEED and will complete the same within calendar days after the date of the "Notice to Proceed", unless the period for completion is extended otherwise by the CONTRACT DOCUMENTS.
4. The CONTRACTOR agrees to perform all of the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein for the sum of \$ 2,023,851.40, or as shown otherwise in the BID schedule.
5. The term "CONTRACT DOCUMENTS" means and includes the following:

- (A) INVITATION TO BID
- (B) INSTRUCTION TO BIDDERS
- (C) BID AND BID SCHEDULE
- (D) BID BOND
- (E) AGREEMENT
- (F) PERFORMANCE BOND
- (G) PAYMENT BOND
- (H) NOTICE OF AWARD
- (I) NOTICE TO PROCEED
- (J) APPLICATION FOR PAYMENT
- (K) CONINUATION APPLICATION FOR PAYMENT
- (L) CONTRACT CHANGE ORDER
- (M) FIELD WORK ORDER
- (N) NOTICE OF SUBSTANTIAL COMPLETION
- (O) NOTICE OF FINAL ACCEPTANCE
- (P) GENERAL CONDITIONS
- (Q) DRAWINGS prepared by Sunrise Engineering, Inc. Dated 5-9-2024
- (R) All other documents included in the CONTRACT DOCUMENTS AND STANDARD SPECIFICATIONS prepared by Sunrise Engineering Inc. for this project.

(S) ADDENDA NO. _____, dated _____

- 6. The OWNER will pay to the CONTRACTOR in the manner and at such times as set forth in the General Conditions such amounts as required by the CONTRACT DOCUMENTS.
- 7. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.
- 8. The term "ENGINEER" means the Weber county Engineer or his or her designee.
- 9. In the event of any inconsistency between different parts of the Contract Documents, the inconsistency shall be resolved by giving precedence in the following order, unless otherwise agreed by the parties:
 - a. Specifications or instruction listed in the drawings prepared by Sunrise Engineering
 - b. EJCDC C-800, Supplementary Conditions
 - c. EJCDC C-700, Standard General Conditions of the Construction Contract
 - d. All other Contract Documents

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in _____ copies, each of which shall be deemed an original on the date first above written.

OWNER: Weber County
 BY: _____
 NAME: James "Jim" Harvey
 TITLE: Commission Chair

(SEAL)
 ATTEST _____
 BY _____
 TITLE _____

CONTRACTOR: Randy Marriott Construction
 BY: [Signature]
 NAME: Randy Marriott
 ADDRESS: 4960 W 2200 N.
Ogden, UT 84404

(SEAL)
 ATTEST _____
 BY _____
 TITLE _____