



AMENDMENT TO CONTRACT FOR
YELLOWSTONE FAMILY PARK PLAYGROUND – MLJ10142011
SERVICES AGREEMENT

This AGREEMENT, made and entered into this 30 day of December, 2011, by and between the following:

CITY OF BILLINGS, a municipal corporation,
Billings, Montana 59103
Hereinafter designated the CITY

And
Kompan, Inc.
930 Broadway, Tacoma, WA 98402
Hereinafter designated the CONTRACTOR

WITNESSETH

WHEREAS the CITY and the CONTRACTOR have entered into an AGREEMENT dated November 14, 2011, to provide and install playground equipment and fall protection material, and;

WHEREAS the CITY has the need to extend said contract, and;

WHEREAS the CITY has the authority to contract for said services, and;

WHEREAS the CONTRACTOR represents that he/she is qualified to perform said services, is in compliance with Montana statutes and is willing to furnish said services to the CITY, and;

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the Parties hereto agree as follows:

1. Exhibit A SCOPE OF WORK: Attachment A, Kompan Sales Proposal, is amended as follows: Subject to the Contractor's satisfactory performance, Billings shall pay the



Contractor no more than **One Hundred Nine Thousand Eight hundred Eighty Five Dollars and Thirty Five Cents, \$109,885.35** in accordance with this section.

Original Contract Fee:	\$99,862.90
Amendment to Original Contract, See Exhibit A attached to this document	<u>\$10,022.45</u>
Total Amended Contract Fee	\$109,885.35

2. **Effective Date:** This Agreement is effective upon the date of its execution and will terminate on May 1, 2012. The parties may extend this agreement, by mutual concurrence, for up to 30 days, in writing prior to its termination.

All other terms and conditions of the AGREEMENT to which this amendment applies shall remain in full effect.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

CITY OF BILLINGS, MONTANA

KOMPAN
CONTRACTOR (Print Name Above)

By _____
~~CHRISTINA F. VOLEK,~~
~~City Administrator~~
Thomas W. Hanel
Mayor

By *[Signature]*
Print Name Preben B. Pedersen
Print Title VP-CFO

APPROVED AS TO FORM:

By _____
BRENT BROOKS, City Attorney



Sales Proposal

KOMPAN, Inc. • 930 Broadway, Tacoma, WA 98402 • Tel 888 579 8223 • Fax 888 579 8224 • www.kompan.com

KOMPAN is a proud supplier partner of



Date December 28, 2011

From Joedi Griffith

To Mark Jarvis

Project Yellowstone Family Park - Additional items

Ship To State / Zip MT 59101

(This proposal may be withdrawn after February 26, 2012)

QTY	ITEM #	DESCRIPTION	UNIT LIST PRICE	RETAIL PRICE	USC DISC.	ADD'L DISC.	NET PRICE
1	M128P	Daisy	749.00	749.00	74.90	74.90	599.20
1	MSC5417P	Playhouse Slide	7,350.00	7,350.00	735.00	735.00	5,880.00
*In-ground footings quoted Additional 10% discount offered Freight amounts are only valid when ordered with service agreement MLJ10142011							
1	Freight	Poured-in-place - No change from original order	-	-			-
1	Freight	KOMPAN Equipment	363.00	363.00			363.00
166	DP126	Poured-in-place 3.5" - 8 ft CFH-50/50 (2201 - 2800 sf)	12.92	2,144.72	214.47	-	1,930.25
1	Installation	KOMPAN Equipment		7,920.92	396.05	6,274.87	1,250.00

COMMENTS:

- Please allow 8-10 weeks for product delivery upon order placement.*
- Customer is to provide level dirt site, free of underground obstacles.*
- Customer is responsible for disposal of refuse / garbage.*
- Customer is responsible for removal of any existing equipment / obstacles prior to installation.*
- Charges for payment / performance bonding are not included. An appropriate amount will be added if applicable.*
- Charges for permits are not included. An appropriate amount will be added if applicable.*
- Prices do not include dumpster or security if needed. This will be an additional charge and can be quoted upon request.*
- A new pricelist will go into effect as of January 1, 2012.*

SUMMARY:

	RETAIL PRICE	USC DISC.	ADD'L DISC.	NET PRICE
Subtotal - KOMPAN Products	8,099.00	809.90	809.90	6,479.20
Subtotal - Other Products				0.00
Subtotal - Surfacing	2,144.72	214.47		1,930.25
Subtotal - Installation Services	7,920.92	396.05	6,274.87	1,250.00
Subtotal - Freight	363.00			363.00
Subtotal	\$18,527.64	\$1,420.42	\$7,084.77	\$10,022.45
Estimated Tax Rate	0.000%	<i>(Applicable sales tax will be added unless a valid tax exemption certificate is provided. This amount is only an estimate of your tax liability.)</i>		0.00
Total				\$10,022.45

Accepted By (Signature): _____

Your P.O. # (if applicable) _____

Accepted By (please print): _____

Date: _____

Your acceptance of this proposal constitutes a valid order request and includes acceptance of the terms and conditions contained within the Master Agreement, which is hereby acknowledged. Acceptance of this proposal by KOMPAN is acknowledged by issuance of an order confirmation by an authorized KOMPAN representative. Prices in this quotation are good for 60 days. This proposal may be withdrawn if not accepted by February 26, 2012. Contact your consultant for updated quotations. This proposal assumes that there is no Prevailing Wage requirement for this job.