**SPECIAL PROVISIONS**

1. These contracts are established to furnish Excavating and Earthmoving Services to the Byron Walker Wildlife Area, 8685 West Hwy 54, Cunningham, Kansas 67035, and Sand Hills State Park, 4207 E. 56th, Hutchinson, KS 67502.
2. Local Wildlife Area contact is Troy Smith, Area Manager at: 620-532-3242.
3. **Period of Contract:** February 1, 2015 through January 31, 2020.
4. **Termination:** This contract may be terminated by either party, without cause, on January 31st of any year during the contract period with sixty (60) days prior written notice to the Procurement officer.
5. Contractor shall furnish to Wildlife and Parks proof of Public Liability, Property Damage and Workman’s Compensation Insurance prior to commencement of work.
6. Payment will be made periodically but at least monthly on receipt of an approved invoice clearly showing the dates and hours of work.
7. **Scope of Excavating Services:**

A. Contract for equipment listed for a wide variety of applications including but not excluded to, road repair and construction, pond repair and construction, timber removal, terrace/water way repair and construction, storm damage and flood repairs, pond and dike construction. Road blading is the primary activity being contracted.

B. Contract is for equipment and operator on an hourly basis. Contractor will be allowed a four (4) hour minimum per call. No other charges will be allowed.

C. Contract is based on an as needed basis and funding availability of the agency. There is no minimum amount of equipment hours expressed or implied. In fact some years may see little or no use of heavy equipment, the yearly hours listed should be considered the estimated amount in any given year.

D. Emergency repairs due to storm or flood and normal routine maintenance of roads are the primary reasons for this contract. However development projects may occur during the contract period.

E. Contractor may if requested by this agency and if willing to do so, operate his equipment at his pricing rate on other projects in the area. Other projects are not required to utilize this contractor nor is the contractor obligated to honor their requests. Other possible locations could be Pratt Sand Hills, Texas Lake, and Isabel Wetlands Wildlife Areas.

F. Contractor is obligated to respond to the needs of Byron Walker Wildlife Area or Sand Hills State Park. The contractor will receive his instructions from and be accountable to the property manager on the property the work is being performed on.

1. Contractor shall be familiar with Byron Walker Wildlife Area and be able to do the work with a minimum of direct supervision.

2. Contractor must be able to respond to emergency situations within 48 hours and be able to respond to normal requests within 20 days notice.

3. Contractor will be paid after work is performed, and will document hours as required by the property manager.

G The purpose of this contract is to provide equipment needs based on the amount of funding available and for emergency situations requiring prompt response.

H. Equipment to be provided with a trained and experienced operator as follows:

Motor Grader, 12 ft. blade minimum,

90 HP minimum.

Track Loader, 2.0 yard bucket minimum,

120 HP minimum.

Scraper/Loader, 11 yard minimum,

140 HP minimum.

Dozer, D-6 or larger minimum 8 foot blade,

130 HP minimum.

Rubber Tire Hi Loader, 3 yard,

150 HP minimum.

Backhoe - Loader, 18 foot reach, 1/4 yd. backhoe bucket,

1 yard loader bucket, 80 HP minimum.

Track Hoe, minimum 2 ft. wide bucket

wide track's high clearance, 100 HP minimum.

Dump Truck, twin screw, 12 yard,

210 HP minimum.

I. Contractor will have 20 working days to respond to any request for services by the Manager and will stay on the job until complete unless weather conditions prevent that and/or the Manager authorizes the contractor to leave unfinished work.

10. Kansas Department of Wildlife and Park’s Representative:

 Troy Smith

 Byron Walker Wildlife Area

 8685 West Hwy 54

 Cunningham, Kansas 67035

 Telephone: 620-532-3242

11. The contractor shall not sub-contract any work covered under this contract without prior approval by the agency.

1. **Fuel Cost Adjustment:** The Kansas Department of Wildlife & Parks is aware of the potential trend of rising fuel cost and the impact this may have on vendor’s ability to profitably provide services. Therefore, if fuel prices should rise to a cost that is 20% higher, at any time during the term of the contract, than the fuel prices at the closing date, the contractor may request an increase in price(s) of the product to be delivered after delivery in order to recover any added fuel costs. KDW&P will review each request separately and on its own particular set of specific criteria, i.e. miles per delivery, number of units, etc. in order to determine the amount of price increase needed to offset any rising cost of fuel. Likewise, in the event fuel prices decrease by more than 20%, at any time during the term of the contract, from the fuel price at the closing date the Department will use the same aforementioned criteria regarding delivery costs to calculate any lowering of the contract’s price(s). KDW&P will use the Average Retail On-Highway Diesel pricing for the Midwest region posted on the Energy Information Administration Website <http://tonto.eia.doe.gov/oog/info/wohdp/diesel.asp> for comparison purposes when determining and calculating any contract price-increases or decreases. Requests for price adjustments based on fuel costs will be submitted in writing to: Deb A. Simon, Procurement Officer at the Pratt Office.

The starting point is $ 3.473. per gallon.

If the Contractor and the Department cannot reach an equitable price adjustment for the product to offset fuel price changes, this contract will be considered null and void.

ANY PRICE ADJUSTMENT MUST BE APPROVED BY PROCUREMENT & CONTRACTS AND AN AMENDMENT ISSUED

**PRICE SCHEDULE**

Type of Equipment Unit Price Contractor

**Motor Grader and Operator $ 125.00\_ Per Hr. Theis Dozer Service**

Make: Caterpillar

Model: 140 H

Horsepower: 180

Blade Length: 14 ft.

**Track Loader and Operator $ 212.50\_ Per Hr. Theis Dozer Service**

Make: Caterpillar

Model: 953

Horsepower: 128

Bucket Size: 2 ½ yds.

**Scraper/Loader and Operator $ 165.00 Per Hr. Paul’s Excavating**

Make: Caterpillar

Model: 613 C

Capacity: 11 yds.

Horsepower: 175

**Dozer and Operator $ 175.00 Per Hr. Paul’s Excavating**

Make: John Deere

Model: 750 C

Blade Length: 10 ft.

**Rubber Tire Hi Loader and Operator $ 130.00 Per Hr. Theis Dozer Service**

Make: Caterpillar

Model: 938 G

Capacity: 3 ½ yds.

Horsepower: 170

Type of Equipment Unit Price Contractor

**Backhoe/Loader and Operator $ 90.00\_ Per Hr. Theis Dozer Service**

Make: Caterpillar

Model: 420 E

Backhoe Bucket Capacity: ¼ yd.

Reach: 25 ft.

Loader Bucket Capacity: 1 ½ yd.

Horsepower: 85

**Track Hoe and Operator $ 140.00\_ Per Hr. Theis Dozer Service**

Make: Caterpillar

Model: 320 E

Bucket Width: 42”

Horsepower: 153

**Dump Truck and Operator $ 95.00\_ Per Hr. Theis Dozer Service**

Make: Peterbilt

Model: 379

Capacity: 12 yds.

Horsepower: 425

**CONTRACTOR LISTING**

**Contract ID: 40042**

**Contractor: THEIS DOZER SERVICE**

416 W. Stanley Ave.

 Spivey, KS 67142

 Vendor ID: 0000167285

 FEIN: 943417873

 Contact Person: Stacey Theis

 E-Mail: theisdozer@aol.com

 Toll Free Telephone: NA

 Local Telephone: 620-532-3555

 Cellular Telephone: NA

 Fax: 620-532-3533

**Contract ID: 40043**

**Contractor: PAULS EXCAVAING INC.**

11915 S K 14 HWY

 Hutchinson, KS 67501-8799

 Vendor ID: 0000403939

 FEIN: 141907878

 Contact Person: Paul Barlow

 E-Mail: pjbarlow@kanokla.net

 Toll Free Telephone: NA

 Local Telephone: 620-663-8435

 Cellular Telephone: 316-734-1730

 Fax: 620-669-8619