



## Indefinite Delivery-Indefinite Quantity Construction Contract

**Contract Number: NM-R5-R-060222-SMR**

**Service Type: Roofing Construction**

This Indefinite Delivery-Indefinite Quantity Construction Contract (Contract) is between **Sourcewell**, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 and **Smith Roofing Inc.**, 1655 W. Picacho Ave., Las Cruces, NM 88005 (Contractor).

Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that, among other things, offers indefinite quantity construction procurement solutions to government entities. Participation is open to federal, state and municipal governmental entities, K-12 and higher education entities, nonprofit entities, tribal governments, and other public entities located within the United States.

The Contractor desires to contract with Sourcewell to provide construction services to entities that access Sourcewell's indefinite delivery-indefinite quantity (IDIQ) construction contracts within the Service Region.

### I. TERM OF CONTRACT

A. EFFECTIVE DATE. This Contract, including the General Terms and Conditions incorporated by reference, is effective upon the later of June 28, 2022 or the date of the final signature below.

B. EXPIRATION DATE AND EXTENSION. This Contract expires **June 27, 2023**, unless it is terminated sooner pursuant to Article XX of the General Terms and Conditions, which are incorporated into this Contract by reference. This Contract may be extended up to two additional one-year periods upon request of Sourcewell and with written agreement by the Contractor, not to exceed a total of three years.

### II. REGION AND SERVICES

The Contractor's Region is: Region 5. The Contractor's IDIQ construction service type is: Roofing Construction. The Contractor  has  has not agreed to perform work outside the Region.

### III. ADJUSTMENT FACTORS

The Contractor will perform any or all Tasks in the Construction Task Catalog for the Unit Price appearing therein multiplied by the following Adjustment Factors. See the General Terms and Conditions for additional information.

A. **Normal Working Hours – Project volume of less than \$60,000.00**: Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours on projects, with a volume less than \$60,000.00, for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: **1.4000**.

B. **Other Than Normal Working Hours – Project volume of less than \$60,000.00:** Work performed from 4:00 p.m. to 7:00 a.m. Monday to Friday, and any time Saturday, Sunday and Holidays. The Contractor will perform Tasks during Other Than Normal Working Hours, on projects with a volume less than \$60,000.00, for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.4000.

C. **Normal Working Hours – Project volume equal to or greater than \$60,000.00:** Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours, on projects with a volume equal to or greater than \$60,000.00, for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.4500.

D. **Other Than Normal Working Hours – Project volume equal to or greater than \$60,000.00:** Work performed from 4:00 p.m. to 7:00 a.m. Monday to Friday, and any time Saturday, Sunday, and Holidays. The Contractor will perform Tasks during Other Than Normal Working Hours, on projects with a volume equal to or greater than \$60,000.00, for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.4500.

E. **Non pre-priced Adjustment Factor:** To be applied to Work determined not to be included in the CTC but within the general scope of the work: 1.4000.

**VI. AUTHORIZED REPRESENTATIVE**

A. Sourcewell's Authorized Representative is its Chief Procurement Officer.

B. The Contractor's Authorized Representative is Beau Smith. If the Contractor's Authorized Representative changes at any time during this Contract, Contractor must promptly notify Sourcewell in writing.

Sourcewell

Smith Roofing Inc.

DocuSigned by:  
*Jeremy Schwartz*  
By: C0FD2A139D06489...

DocuSigned by:  
*Beau Smith*  
By: 9C3110DEEA294DF...

Jeremy Schwartz, CSSBB, CPPO

Beau Smith

Title: Chief Procurement Officer

Title: Vice President

Date: 7/22/2022 | 1:57 PM CDT

Date: 7/22/2022 | 11:14 AM CDT