

**ANNUAL CONTRACT FOR
WATER TREATMENT FOR MUNICIPAL POOLS**

REQUEST FOR COMPETITIVE SEALED PROPOSAL ("RFCSP") NO.: 18-077; 6100010330

This Agreement is entered into by and between the City of San Antonio, Texas, a home-rule municipal corporation (City), by and through its Director of Finance or said Director's designee, and Commercial Chemical Products Inc. dba Poolsure (Contractor), both of which may be referred to herein collectively as the "Parties".

The Parties hereto severally and collectively agree, and by the execution hereof are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks hereinafter described.

1.0 CONTRACT DOCUMENTS

The terms and conditions for performance and payment of compensation for this Agreement are set forth in the following contract documents, true and correct copies of which are attached hereto and fully incorporated herein for all purposes, and shall be interpreted in the order of priority as appears below:

- 1.1 This Integration Agreement;
- 1.2 City's RFCSP No.: 18-077; 6100010330, including all attachments and addenda thereto;
- 1.3 Contractor's proposal in response to City's RFCSP No18-077; 6100010330.

2.0 PRICING AND ESTIMATED QUANTITIES

City's RFCSP provided estimated annual quantities for the scope of work contained therein. However, City will delete the line item 4.1.6 Ornamental Water Fountain from the RFCSP. Therefore, in order to proceed with award of this agreement, Contractor and City both acknowledge and agree that the actual quantities of work that shall be performed under this contract shall be all inclusive with the exception of line 4.1.6 Ornamental Water Fountain which has been deleted. Parties further acknowledge and agree that the originally estimated annual quantity can only be increased to the extent allowed by Texas Government Code §252.048.

3.0 ENTIRE AGREEMENT

This Agreement, together with its attachments and exhibits, if any, constitutes the final and entire agreement between the parties hereto and contains all of the terms and conditions agreed upon. No other agreements, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind the parties hereto, unless the same are in writing, dated subsequent to the date hereto, and duly executed by the parties.

EXECUTED and **AGREED** to as of the dates indicated below. This Agreement may be executed in multiple copies, each of which shall constitute an original.

CITY OF SAN ANTONIO

Norbert Dziuk
Procurement Operations Lead
Date: _____

COMMERICAL CHEMICAL PRODUCTS INC., dba POOLSURE



Alan Falik
President/CEO
Date: 12/3/2018

Approved as to Form:

Assistant City Attorney