

RFP – ATTACHMENT II

WATER TANK MAINTENANCE AGREEMENT

THIS WATER TANK MAINTENANCE AGREEMENT (“Agreement”), is entered into as of the 9th day of March, 2021, by and between the **BOARD OF COMMISSIONERS OF LOWNDES COUNTY**, a political subdivision of the State of Georgia (“Lowndes County”), and American Tank Maintenance, (“Contractor”).

WITNESSETH:

WHEREAS, Lowndes County issued on October 2, 2020 a Request for Proposals for Maintenance, Repairs, Cleaning, and Coating/Painting of Potable Water Storage Tanks for Public Water System (“RFP”) for six (6) elevated, two (2) hydropneumatic pressure vessels, and two (2) ground potable water storage tanks located in Lowndes County, Georgia and utilized in Lowndes County’s public water system (individually a “Water Tower”; and collectively “Water Towers”);

WHEREAS, Contractor responded to the RFP with its Proposal, and Contractor and Lowndes County have further negotiated and revised the terms of that Proposal (as so revised, “Contractor’s Proposal”);

WHEREAS, based upon the RFP and Contractor’s Proposal, Lowndes County desires to obtain from Contractor, and Contractor having the expertise, personnel and resources to do so desires to provide to Lowndes County, certain professional public water system tank maintenance, repairs, cleaning, and coating/painting services for the Water Tanks, all pursuant and subject to the terms and conditions of this Agreement (the “Tank Maintenance Services”);

NOW, THEREFORE, FOR AND IN CONSIDERATION of the premises and the mutual agreements, covenants, representations and warranties set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties intending to be legally bound hereby agree as follows:

- 1. Tank Maintenance Services.** Contractor at its sole cost, expense and risk shall perform and carry out all of the Tank Maintenance Services, all pursuant and subject to the terms and conditions of this Agreement. Contractor shall perform the Tank Maintenance Services in a first-class, workman-like manner, and in accordance with safe, prudent, and reasonable industry standards and practices, and utilizing sufficient experienced labor. Contractor shall supply all of the materials, parts, equipment and labor necessary or advisable for the Tank Maintenance Services.
- 2. Incorporation of RFP.** Each of Contractor’s obligations and duties pursuant to the RFP, including without limitation the Specifications, are hereby incorporated into and made an integral part of this Agreement. Contractor hereby agrees that it shall perform the Tank Maintenance Services in strict accordance with the RFP and the Specifications.
- 3. Agreement Term.** This Agreement shall have an initial term of seven (7) years