



EMPOWERING OUR STUDENTS TO REALIZE THEIR FULL POTENTIAL

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TETON SCHOOL DISTRICT #401

Contractual Agreement with Action Excavation

THIS AGREEMENT entered into between Teton School District #401, hereby known as the District, having a principal place of business at 481 N. Main Street, Driggs, Idaho, and **Action Excavation**, hereby known as the Contractor.

The following service(s) requested: **Sidewalk and Parking Lot Snow Removal**

Term of Agreement: The term of the agreement is **October 26 - June 30, 2024, with an option to extend for 3 years pending performance and no rate changes.**

Days and Hours of services: **Per snow event; and TBD in coordination with Maintenance Director Cody Kunz**

Contracted fee:

1. **RE: Attachment, Estimate for Snow Removal Teton School District 401, Properties to Plow: Sidewalks**
2. **RE: Attachment, Estimate for Snow Removal Teton School District 401, Properties to Plow: Parking Lots**

SIDEWALK SNOW REMOVAL SCOPE OF SERVICES: PROPERTY AREAS

Driggs Elementary School: All sidewalks including, west fire access and sidewalk between wings.

Teton Middle School: All sidewalks

Teton High School: All sidewalks

Rendezvous Upper Elementary School: Front sidewalk, east, west and north sidewalk - modular sidewalks, playground at north and front sidewalk

Victor Elementary School: Sidewalks all around including west fire access, sidewalk between two wings.

School District Office - Basin High School - Day Care Building: Sidewalks all around (including Basin student sidewalk courtyard area), and sidewalks on the west

Tetonia Elementary: West sidewalks, south of building, north playground, and east bus parking

SNOW PLOWING PARKING LOTS SCOPE OF SERVICES: PROPERTY AREAS

Driggs Elementary School: Front and bus parking lots

Teton Middle School: North, west, and bus parking lots and bus road between Driggs Elementary and Teton Middle School

Teton High School: Four big parking lots and behind school

Rendezvous Upper Elementary School: West and south parking lots

School District Office - Basin High School - Day Care Building: North, west, and south parking: Pushing snow to a predetermined location with limited snow storage at the District Office site.

Contractor requirements attached hereto are made a part of this contract.

The parties agree that the Contractor is solely responsible for all costs and expenses incurred in connection with the performance of those services described in this agreement unless noted above.

1. Action Excavation will dispatch once the snow accumulation reaches an agreed amount determined by Maintenance Director Cody Kunz.
2. Loaders are required to meet the scope of services.
3. Action Excavation reports to Maintenance Director Cody Kunz, 208-399-0283.
4. The Contractor will provide invoices on a regular basis. All invoices to be reviewed and approved by Cody Kunz prior to payment.
5. Neither federal, nor state, nor local income tax nor payroll tax of any kind shall be withheld or paid by Teton School District 401 on behalf of Action Excavation. Action Excavation shall not be treated as an employee with respect to services performed hereunder for federal or state tax purposes. Action Excavation understands that it is responsible to pay, according to law, its

income tax. The contractor agrees that as an independent contractor it is not eligible for district benefits of any kind.

6. The Contractor further agrees to provide the District the following:
 - a. Assurance that all work will be performed in accordance with the high standards; and
 - b. Verification all employees who come into contact with the student have been subject to a criminal background check as required by Idaho Code 33-130 and have been determined to not have a criminal history inconsistent with working with children.
7. With reasonable cause, either party may terminate this Agreement effective immediately upon the giving of written notice of termination with cause. Reasonable cause shall include, without limitation: a) material violation of this Agreement; b) any act exposing the other party to liability to others for personal injury or property damage; c) cancellation of the subject event; d) any circumstance beyond the control of either party.
8. The Contractor shall be solely liable for any losses or damages resulting from performance of any of the services covered by this Agreement. Contractor shall indemnify and hold harmless the District from any liability, including, but not limited to, cost, expenses, and attorney fees, resulting from Contractor's performance of the services provided under this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their names by their proper officials pursuant to approval of their respective boards on this 26 day of Oct., 2023.


Teton School District 401 Superintendent


Action Excavation

**ESTIMATE FOR SNOW REMOVAL TETON
SCHOOL DISTRICT 401- 2023/2024**

ACTION EXCAVATION, LLC

2240 S 1000 E DRIGGS, ID 83422

208.354.3478 office

208.313.4225 Brandon Cell



PROPERTIES TO PLOW: SIDEWALKS

TETON HIGH SCHOOL- All Sidewalks

TETON MIDDLE SCHOOL- All Sidewalks

DRIGGS ELEMENTARY SCHOOL- All Sidewalks including, west fire access and sidewalk between wings.

DISTRICT OFFICE (Old High School)- BASIN HIGH SCHOOL- DAY CARE BUILDING- Sidewalks all around (including Basin student sidewalk courtyard area), and sidewalks on the west.

RENDEZOUS ELEMENTARY- front sidewalk, east, west and north sidewalk- modular sidewalks- Playground North and front sidewalk.

VICTOR ELEMENTARY- Sidewalks all around including west fire access, sidewalk between wings.

TETONIA ELEMENTARY- West sidewalks, south of building, north playground, and east bus parking.

Action Excavation hereby proposes plowing for the mentioned properties at 1" or more starting at 2:30am when required.

- * We have 7 Large Loaders, Backhoe, 2 Skid Steers, Rotary Blower and Dump Trucks for redundant support and
- * All of our plow crew are locally stationed.

Action Excavation will plow all properties listed above on a per occurrence.

Bid: \$3600 *Per Occurrence- with travel.

Please see rates for equipment for additional hours needed to complete job after each snow event.

*Dump Truck: \$150.00 per hour

*Side Dump: \$175.00 per hour

*Loader: \$220.00 per hour

*Rotary Blower: \$360.00 per hour

*Dozer: \$225.00 per hour

*Grader: \$225.00 per hour

*Labor: \$88.00 per hour

*Skid Steer: \$165 per hour

*Pick up Plow: \$165 per hour

**Additional Bank removal or push back of snow piles will be additional and by the hour.

**Snow Staking will be a per hour rate and is not included

**A Fuel Surcharge may be instated if the local average raises above \$6.00 per gallon for on road diesel.

Idaho Public Works Number: 000707-AA-1 (included)

Idaho State Business License: RCE-20365 (included)

Insurance Company: The Buckner Company (see Certificate)

Bonding Company: The Buckner Company (No Bond requested)

Oct 25, 2023

**ESTIMATE FOR SNOW REMOVAL TETON
SCHOOL DISTRICT 401- 2023/2024**

ACTION EXCAVATION, LLC
2240 S 1000 E DRIGGS, ID 83422
208.354.3478 office
208.313.4225 Brandon Cell



PROPERTIES TO PLOW (EXCEPT SIDEWALKS)

TETON HIGH SCHOOL
TETON MIDDLE SCHOOL
DRIGGS ELEMENTARY SCHOOL
DISTRICT OFFICE (Old High School)
RENDEZVOUS ELEMENTARY

Action Excavation hereby proposes plowing for the mentioned properties at 1" or more starting at 2:30am when required.

*** We have 7 Large Loaders, Backhoe, 2 Skid Steers, Rotary Blower and Dump Trucks for redundant support and back up.**

*** All of our plow crew are locally stationed.**

Action Excavation will plow all properties listed above (except sidewalks) on a per occurrence up to 20 hrs of equipment time. Prior year was 15hrs. (new building by District Office has created additional time to route for snow removal to football field.)

Bid: \$4400

***\$220 hr with a minimum of 20hrs billed per occurrence.**

If it exceeds 20 hrs. please see rates for equipment for additional hours needed to complete job.

***Dump Truck: \$150.00 per hour**

***Side Dump: \$175.00 per hour**

***Loader: \$220.00 per hour**

***Rotary Blower: \$360.00 per hour**

***Dozer: \$225.00 per hour**

***Grader: \$225.00 per hour**

***Labor: \$88.00 per hour**

****Additional Bank removal or push back of snow piles will be additional and by the hour.**

****Snow Staking will be a per hour rate and is not included**

****A Fuel Surcharge may be Instated if the local average raises above \$6.00 per gallon for on road diesel.**

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Idaho State Business License: RCE-20365 (included)

Insurance Company: The Buckner Company (see Certificate)

Bonding Company: The Buckner Company (No Bond requested)

Brandon M. Lucill

Oct, 25, 2023

