



Board Agenda Item #	IV D: Action Item
Date:	August 11, 2022
To:	Magnolia Public Schools – Board of Directors
From:	MPS Audit/Facilities Committee
Staff Lead:	Patrick Ontiveros, Director of Facility and General Counsel, Mustafa Sahin, Facility Project Manager
RE:	Approval of Agreement with Universal Awning to Build Two Shade Structures for Magnolia Science Academy-1 High School

Proposed Board Motion

Previously presented at the MPS Audit/Facilities Committee Meeting

Staff recommends that the MPS Board of Directors approve the agreements with Universal Awning to build two shade structures on the rooftop of Magnolia Science Academy (MSA)-1 High School building with the proposed amount for both shade structures being \$272,322.00 and a contingency of 20%, or \$54,464.40 to cover permitting and other unforeseen expenses.

Background

MSA-1 would like to build 2 shade structures to have more shaded area on the rooftop of the High School building for before/after school activities and lunch/nutrition breaks. School received ESSER funds to be used for various needs, and team decided to use ESSER Funds for the shade structures. The approval from State is attached, See Exhibit A for the state approval.

The staff released an RFP, shared it with 5 different vendors, only Universal Awning and Stanford Sign responded, See Exhibit B for RFP and responses.

The team believes that the Universal Awning proposal presents the best overall value. The Universal proposal uses a retractable system which will not damage the building. In addition, we have had success working with Universal Awning, for example they installed the shade structure in front of the High school building at MSA-1.

Budget Implications

MPS staff has confirmed with the California Department of Education that MSA 1 has been allowed to use ESSER funding in order to cover the \$272,322 cost associated with this project.

Exhibits (Attachments):

- A- Email confirmation from state
- B- RFP and Proposals



Mustafa Sahin <msahin@magnoliapublicschools.org>

Equipment and Capital Expenditures Approval - Magnolia Science Academy-1

EDReliefFunds <EDReliefFunds@cde.ca.gov>

Tue, Jun 28, 2022 at 3:09 PM

To: Mustafa Sahin <msahin@magnoliapublicschools.org>

Cc: Brad Plonka <bplonka@magnoliapublicschools.org>, Patrick Ontiveros <pontiveros@magnoliapublicschools.org>

Thank you for the additional context. Please see below for approval.

Dear Magnolia Public Schools,

Equipment and Capital Expenditures Approval - Rooftop Shade Project (Magnolia Science Academy 1)

The application for the use of Elementary and Secondary School Emergency Relief (ESSER) I Funds authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, ESSER II Funds authorized by the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, ESSER III Funds authorized by the American Rescue Plan (ARP) Act, Governor's Emergency Education Relief (GEER) I Funds authorized by the CARES Act, and/or GEER II Funds authorized by the CRRSA Act as designated by the application for capital expenditures with a unit cost of \$5,000 or more has met requirements and the use of funds for projects indicated in your application may be allowed as prescribed in the following guidance, for ESSER I Funds (<https://www.cde.ca.gov/fg/cr/esser.asp>), ESSER II Funds (<https://www.cde.ca.gov/fg/cr/crrsa.asp>), ESSER III Funds (<https://www.cde.ca.gov/fg/cr/arpact.asp>), GEER I Funds (<https://www.cde.ca.gov/fg/cr/learningloss.asp>), and/or the Expanded Learning Opportunities Grant (ELO-G) (<https://www.cde.ca.gov/ls/he/hn/covidreliefgrants.asp>).

Please note: For any construction projects, you must also comply with all construction requirements found on the CDE website.

The placement of new modular classrooms on a school site is subject to the requirements of [Title 5 CCR Section 14030](#), and oversight by the Division of the State Architect (DSA). For information about DSA assistance during the COVID-19 pandemic for emergency school facilities, LEAs should refer to [BU 20-01](#). New relocatable buildings and structures, including shade structures, may be temporarily installed for a maximum period up to three years in accordance with [IR A-1.16](#). Reconstruction or alteration projects to school buildings less than specified construction cost thresholds are exempt from DSA review, as described in [IR A-22](#).

Construction projects are permitted, but LEAs must follow applicable federal construction regulations, such as safety and health standards (34 CRF 75.609), energy conservation (34 CRF 75.616), and Davis-Bacon prevailing wage rules. When requesting preapproval LEAs must provide documentation showing that the LEA is not able to meet the need arising from the health emergency in a more cost-effective or efficient manner, such as leasing property or improving property already owned and in use.

All LEAs must be able to demonstrate compliance with all federal and state procurement requirements during monitoring reviews and audits. Please be aware that pandemic is not considered a justification to exempt LEAs from following state and federal procurement requirements. State procurement requirements can be found in the California Public Contract Code, sections 20100 - 22178. Federal procurement requirements can be found in Title 2, Code of Federal Regulations, sections 200.317 – 327. LEAs should reference the state guidance found at: <https://www.cde.ca.gov/fg/ac/co/bidthreshold2022.asp>. Additionally, federal procurement guidance can be found on page 20 of the CDE's Federal Grants Fiscal Guidance located at: <https://www.cde.ca.gov/fg/ac/ff/documents/federalgrantsfiscalguidance.pdf>.

You should review all information regarding construction on the CDE's Capital Expenditure FAQs page, located at: <https://www.cde.ca.gov/fg/cr/capexpfaqs.asp>.

Best,
Amber
CDE Federal Stimulus Team

From: Mustafa Sahin <msahin@magnoliapublicschools.org>
Sent: Wednesday, June 15, 2022 3:58 PM
To: EDReliefFunds <EDReliefFunds@cde.ca.gov>
Cc: Brad Plonka <bplonka@magnoliapublicschools.org>; Patrick Ontiveros <pontiveros@magnoliapublicschools.org>
Subject: Re: [EXTERNAL] Equipment and Capital Expenditures Approval - Magnolia Science Academy-1

Hi Amber,

We are located in the San Fernando Valley where it gets very hot most of the year (90 degrees +). We have very little outdoor space that can be used for teaching and or outdoor eating purposes. Since COVID spreads through close contact indoors, we wish to utilize our outdoor space more efficiently. Our rooftop was designed to be usable but because it is not shaded we simply cannot use that additional space during the school day.

See the attached google map.

Thank you

On Tue, Jun 14, 2022 at 4:55 PM EDReliefFunds <EDReliefFunds@cde.ca.gov> wrote:

Good afternoon,

I'm requesting additional information in order to determine if this request for a rooftop shade project can be approved. Can you please clarify why the shade structures are necessary to specifically prevent, prepare for, or respond to the COVID-19 pandemic? What limitations exist to current facilities, and why are these shade structures necessary to address these concerns? Please note that we are not able to make any assumptions, but must instead rely only on the provided information during our review of applications.

Thank you,
Amber
CDE Stimulus Team

From: Brad Plonka <bplonka@magnoliapublicschools.org>
Sent: Wednesday, June 1, 2022 3:59 PM
To: EDReliefFunds <EDReliefFunds@cde.ca.gov>
Cc: Mustafa Sahin <msahin@magnoliapublicschools.org>
Subject: [EXTERNAL] Equipment and Capital Expenditures Approval - Magnolia Science Academy-1

CAUTION! This email originated from outside the California Department of Education. Be careful of links and attachments.

Good Afternoon,

Please see attached the necessary documents for an Equipment and Capital Expenditures Approval.

Let me know if you have any questions.

All the best!

--

Brad Plonka
Principal

Magnolia Science Academy - 1 Reseda
18238 Sherman Way, Reseda, CA 91335 |
Office: (818) 609-0507 | Fax: (818) 477-0945

www.msa1.magnoliapublicschools.org

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Mustafa Sahin M.Ed.

Facility Project Manager

Facility Department

Magnolia Public Schools

250 E. 1st Street, Suite 1500

Los Angeles, CA 90012

Office: (213) 628-3634

Cell: (760) 587-6031

Fax: (714) 362-9588

www.magnoliapublicschools.org



MAGNOLIA PUBLIC SCHOOLS

Request for Proposals
to Provide 2 Shade Structures at
Magnolia Science Academy 1

Due Date:

July 22, 2022

1.0 INTRODUCTION

Magnolia Education & Research Foundation doing-business as Magnolia Public Schools ("**MPS**"), a charter school management organization, operates Magnolia Science Academy 1 Reseda ("**MSA-1**") located at 18220 Sherman Way Reseda CA91335. The purpose of this RFP is to solicit bids to build 2 shade structures (the first one is 35'x40', and the second one is 45'x80') on the rooftop of existing high school building. Should there be a similar need for any other Magnolia Public Schools (MPS), the approved vendor, the need, and the price will be used.

The locations are shown on Exhibit A.

Site Tour

A site tour will be facilitated.

Proposals Due

Responses to the RFP are due no later than **5:00 PM (PST), Friday, July 22, 2022**, to the following individual:

Mustafa Sahin
Facility Project Manager
Magnolia Public Schools
250 East 1st Street
Suite 1500
Los Angeles, CA 90012
msahin@magnoliapublicschools.org
760-587-6031

Questions regarding this RFP may be directed to the individual identified above via email.

Proposal Format:

One (1) electronic PDF copy (by email) of your proposal must be delivered to the person indicated by the deadline stated above. Please endeavor to keep any emailed material to a single manageable file size (at or about 10 MBs) so that it may be easily distributed to the Selection Committee.

Respondents are encouraged to only include information pertinent to the Project and the Selection Committee's ability to select the vendor best suited to successfully complete this job.

Interviews:

Interviews will be held at the discretion of MPS and MSA-1. Interviews, if any, are expected to be held on July 27th, 2022 via Zoom.

If interviews are held, respondents will meet with the Selection Committee for approximately ½ hour to 1 hour. The interview will be an open, unscripted format. Respondents will have 20 minutes to present any information they feel is pertinent followed by questions and answers and general discussion.

Selection Committee:

The Selection Committee will be composed of representatives from MPS and MSA-1.

1.1 Timeline

RFP Distributed:	July 11, 2022
Proposals Due:	July 22, 2022
Interviews, if any (exact date and time TBD):	July 27, 2022
Selection Announced:	July 28, 2022
Contract Execution:	ASAP

2.0 PROJECT DESCRIPTION

The Project is to build 2 waterproof shade structures, #1 one is 35'X40' and #2 is 45'X80' on the rooftop of the existing high school building. See the Appendix A for the locations. The Project may require submission to and approval by the Division of State Architect (“**DSA**”) If it does not require submission and approval by DSA, it, nevertheless, should be designed and built according to DSA standards.

3.0 PROPOSAL FORMAT

Respondent shall format its response as set forth below to facilitate timely review and selection. Please be specific to the RFP, and do not include materials not explicitly requested, such as generic marketing materials.

Your response should include the following:

- Letter of interest
- Name of your company and the individual responsible for the account
- Restate all the requirements of Section 4.0 and provide responses to each

See Section 1.0 for additional proposal format clarifications.

4.0 PROPOSAL REQUIREMENTS

4.1 Vendor Qualifications and Experience

4.1.1 Vendor Description.

Provide a description of your company and why it is qualified to undertake the Project. Please describe any similar projects your company has completed, including any similar projects submitted to and approved by DSA. Please state whether you are able to determine if the Project must be submitted and approved by DSA and if so whether you are able to do so on behalf of MPS.

Provide the following:

A minimum of three (3) references, including

- (a) name and scope of the project
- (b) client name and contact information

(c) contract amount

4.1.2 Qualifications and Experience of Key Personnel.

Identify the person(s) that will be principally responsible for working with the MPS and leading this engagement and their qualifications and experience

4.1.3 Insurance.

Provide a description of vendor's insurance coverage.

4.2 Cost

Respondent's proposal should include an overall not to exceed cost and should be broken down in detail. The proposal should also provide a break-down of any and all other costs and fees including, but not limited to, labor, delivery fees, installation fees, applicable taxes, etc.

4.3 Product Information

Respondent will confirm its ability to provide the Project as described above in Section 2.0. Where a respondent believes there are multiple options for the Project, the respondent may provide such alternatives explaining the difference in each alternative and describing the cost differences.

4.4 Warranty Information

Provide a description of the warranty provided for the Project.

4.5 Schedule

MPS and MSA-1 desire to complete this project as soon as possible, please also provide the expected completion of the project.

4.6 Contract

The successful respondent will be required to sign an agreement with Owner in the form of Exhibit B (AIA Document A105-2017). Please provide an affirmative statement of respondent's concurrence or else any changes that respondent desires to make to the form agreement attached as Exhibit B.

5.0 CONTACT

Questions to Owner will be accepted via email by the Facility Project Manager identified above. Answers to questions will be provided to all participants as available.

6.0 RFP/Q EXHIBITS

Exhibit A	School Map
Exhibit B	Form of Contract

7.0 BID ACCEPTANCE/REJECTION

The Owner reserves the right to reject any or all proposals or cancel the solicitation process at its sole discretion.

8.0 PROPOSAL VALIDITY

RFP responses shall be valid until execution of a contract, which is expected to occur on or about August 31, 2022. No changes to information received within the Respondent's proposal shall be changed or altered without approval by the Owner.

Exhibit A

School map for shade structures' location

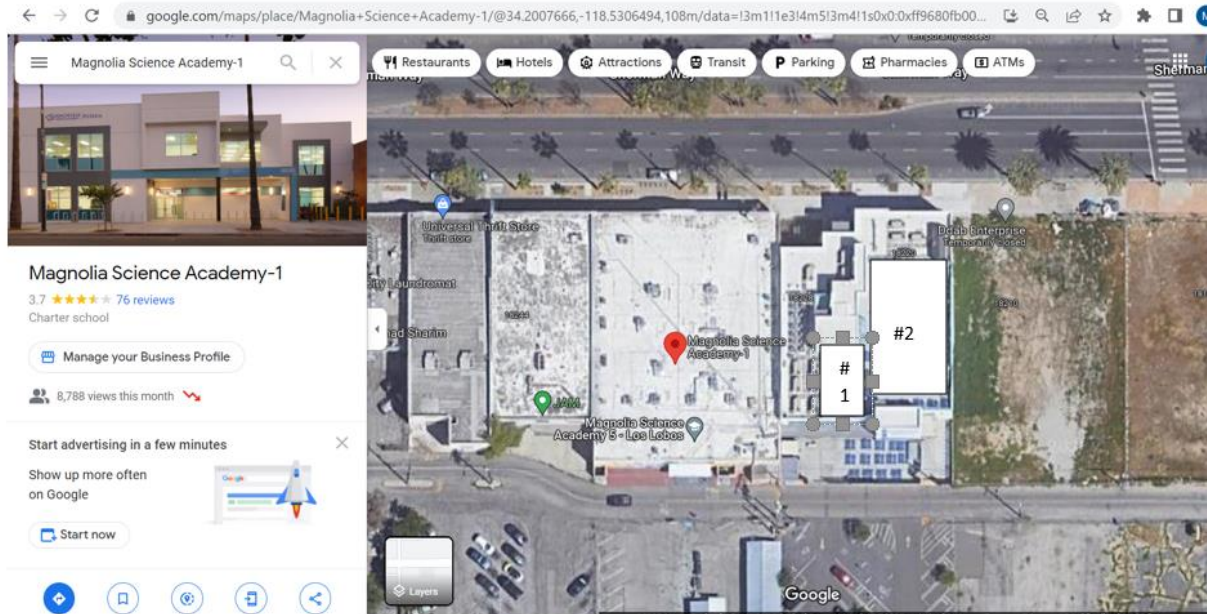


Exhibit B

Form of Contract

(AIA Document A105™-2017)

ESTIMATE



Prepared For

Magnolia School
18220 Sherman Way
Reseda, CA 91335
(213) 628-3634

Universal Awning

7053 Canby Ave.
Reseda, CA 91335
Phone: (818) 882-0027
Email: Info@universalawning.com

Estimate # 2234
Date 07/21/2022

Description	Rate	Quantity	Total
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(1) Hip Roof Canopy on Rooftop	\$56,534.00	1	\$56,534.00
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Materials: Steel, Sunbrella Fabric

Dimensions: 40'-0" x 35'-0" x 10'-0" height

Elements: 3-1/2" SCH 40 (4 OD x .226), 3x.250 round tube, 10x10x3/4" base plates, 3/8" cable, Sunbrella fabric.

Templates & Measurements: Included.

Shop Drawings: Included. 1 drawing, 2 revisions any additional \$110.00 per hour.

Permits: Not included. If elements change due to required permits subject to additional charge.

Engineering: Not included. If elements change due to required engineering subject to additional charge.

Finish: All metal to have electrostatic paint stock colors.

Delivery & Installation: Included

Prevailing Wages: This project was priced as a prevailing wage job.

Notes: Due to the volatile material prices this quotation is valid for 7 days. Advance bill of material is required to be paid to secure material pricing. Please note Engineering will dictate the size of footing needed. Concrete Footing is not included in this price.

Subtotal	\$56,534.00
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Total	\$56,534.00
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All down payments are non-refundable three business days from the signing of this contract. With respect to the above, it is agreed that three quarters of the above mentioned sum is for the cost of materials, fabrication labor, sales tax and balance is for the cost of installation labor.

In the event of default of any installment, the unpaid balance shall become due and payable forthwith at the option of the Contractor without notice.

All expenses incurred in the collection of monies due per this agreement whether by arbitration or judicial process including attorney's fees and cost shall be paid by you the purchaser.

Note: This proposal may be withdrawn by Universal Awning & Shade, Inc. at any time prior to its acceptance, and shall expire by its own terms if not accepted within 7 days. Due to the volatile steel prices this quotation is valid for 7 days. Advance bill of material is required to be paid to secure material pricing.

An initial service charge of 5% of the outstanding balance will be charged on balances not paid within five days of payment due date. service charge of 1.5% will be added each month to the balance remaining unpaid.

This quotation is not binding and does not become a contract unless signed below by UNIVERSAL AWNING & SHADE, INC. EXECUTIVE OFFICER.

Universal Awning - Cody Clapp

Magnolia School

ESTIMATE



Prepared For

Magnolia School
18220 Sherman Way
Reseda, CA 91335
(213) 628-3634

Universal Awning

7053 Canby Ave.
Reseda, CA 91335
Phone: (818) 882-0027
Email: Info@universalawning.com

Estimate # 2447
Date 07/21/2022

Description	Rate	Quantity	Total
(8) 4K Trellis Structures with Slidewire	\$215,788.00	1	\$215,788.00

Materials: 4K Aluminum, Awntex 160 Fabric

4K Trellis Approximate Dimensions:

- 20'-6" width x 18'-0" projection x 12' height (2 sections, 8 billows)
- 20'-6" width x 29'-0" projection x 12' height (2 sections, 14 billows)
- 14'-6" width x 18'-0" projection x 12' height (2 sections, 8 billows)
- 14'-6" width x 29'-0" projection x 12' height (2 sections, 14 billows)
- 19'-1" width x 18'-0" projection x 12' height (2 sections, 8 billows)
- 19'-1" width x 29'-0" projection x 12' height (2 sections, 14 billows)
- 17'-1" width x 18'-0" projection x 12' height (2 sections, 8 billows)
- 17'-1" width x 29'-0" projection x 12' height (2 sections, 14 billows)

Elements: 8"x8" posts (15 posts/Trellises share posts), post caps, 8" post inground insert, 2"x8" beam, beam connectors, lattice end caps, inner beam channel, tek screws, U-bolts, Awntex 160 Fabric, hardware, pulley & rope system.

Templates & Measurements: Included.

Shop Drawings: 1 drawing, 2 revisions any additional \$110.00 per hour.

Permits: Not included. If elements change due to required permits subject to additional charge.

Engineering: Not included. If elements change due to required engineering subject to additional charge.

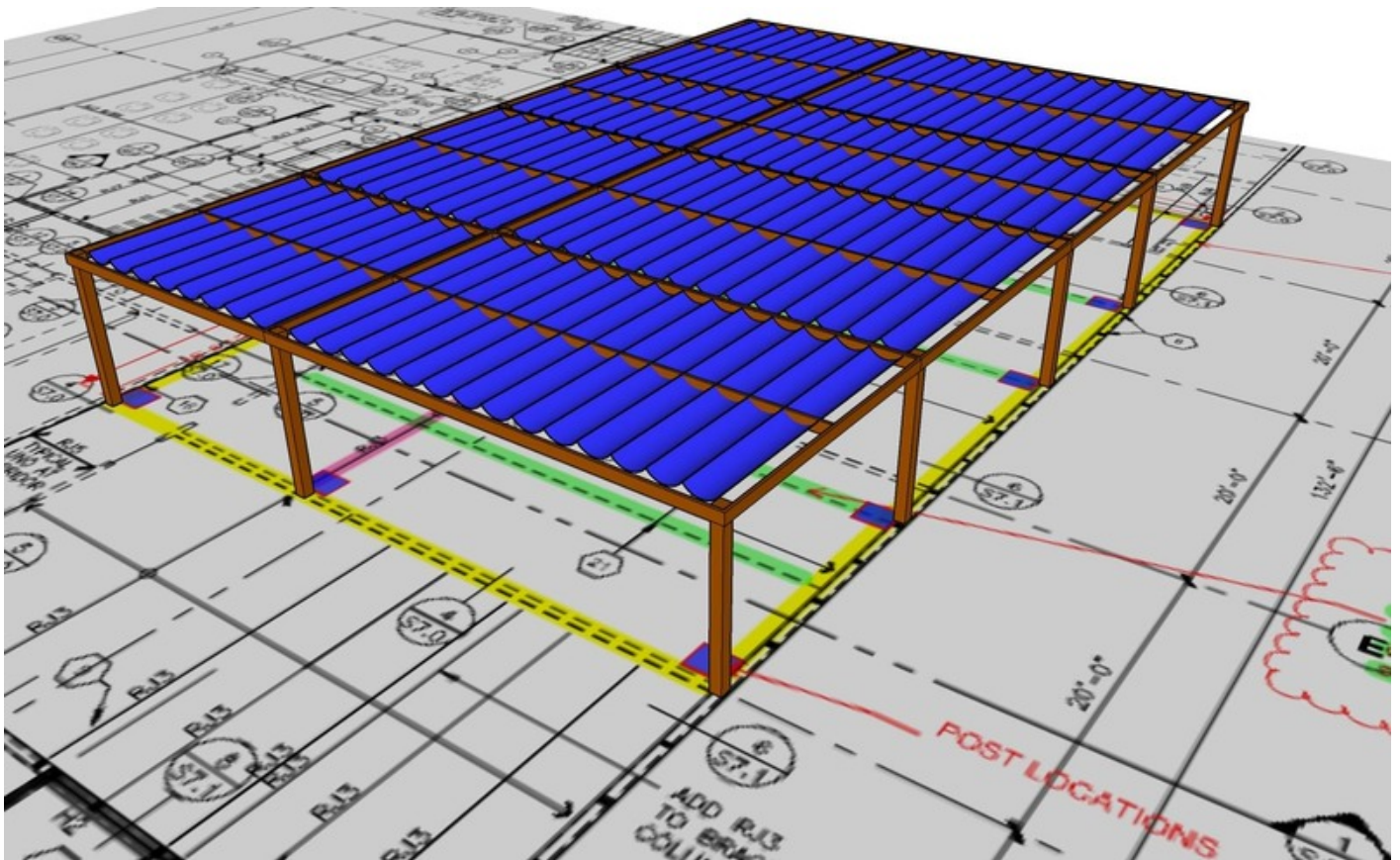
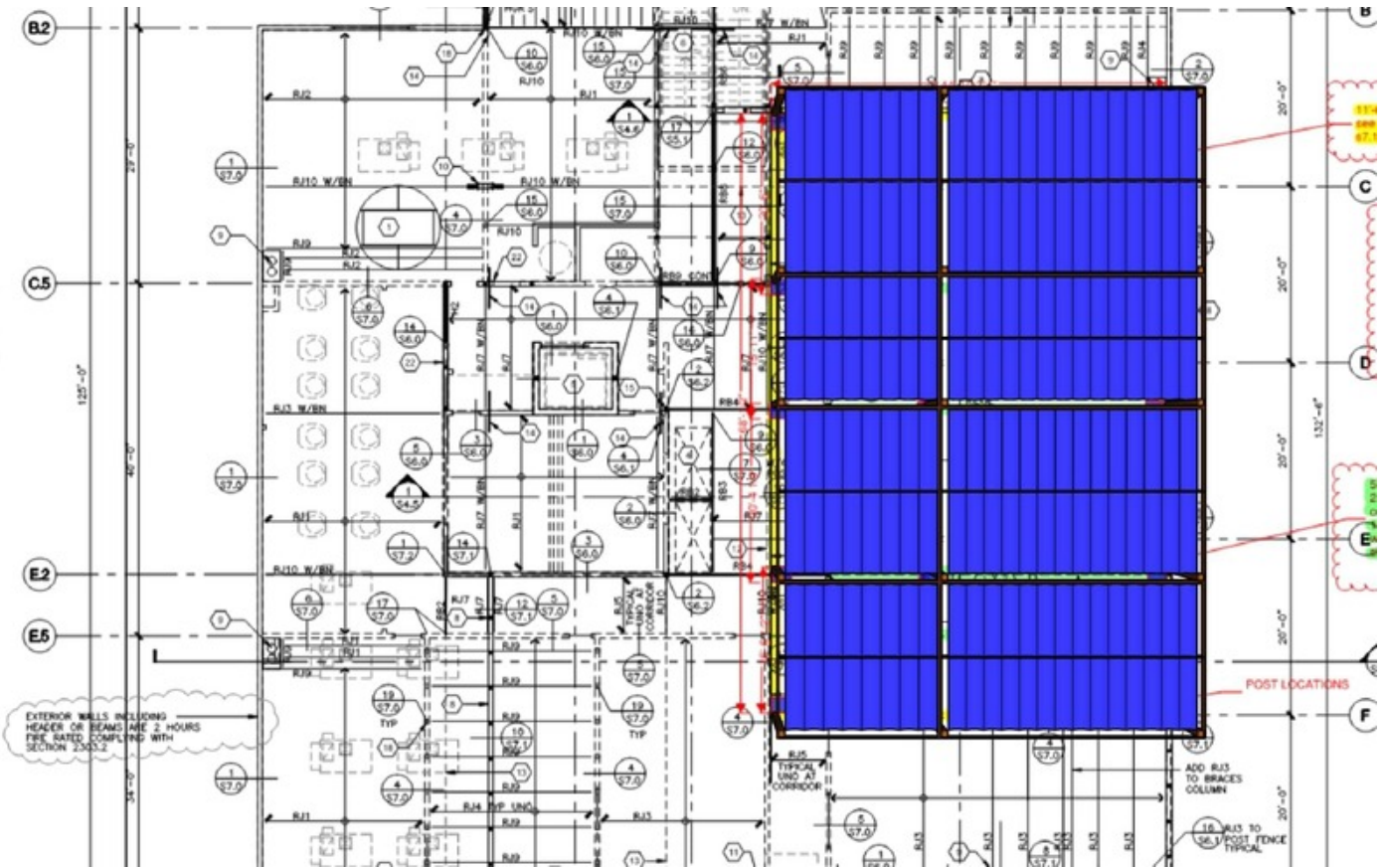
Finish: Powder coat finish colors in Espresso, White or Gray.

Delivery & Installation: Included.

Prevailing Wages: This project was priced as a prevailing wage job.

Notes: Due to the volatile material prices this quotation is valid for 7 days. Advance bill of material is required to be paid to secure material pricing. Please note Engineering will dictate the size of footing needed. Concrete Footing is not included in this price.

Subtotal	\$215,788.00
Total	\$215,788.00



All down payments are non-refundable three business days from the signing of this contract. With respect to the above, it is agreed that three quarters of the above mentioned sum is for the cost of materials, fabrication labor, sales tax and balance is for the cost of installation labor.

In the event of default of any installment, the unpaid balance shall become due and payable forthwith at the option of the Contractor without notice.

All expenses incurred in the collection of monies due per this agreement whether by arbitration or judicial process including attorney's fees and cost shall be paid by you the purchaser.

Note: This proposal may be withdrawn by Universal Awning & Shade, Inc. at any time prior to its acceptance, and shall expire by its own terms if not accepted within 7 days. Due to the volatile steel prices this quotation is valid for 7 days. Advance bill of material is required to be paid to secure material pricing.

An initial service charge of 5% of the outstanding balance will be charged on balances not paid within five days of payment due date. service charge of 1.5% will be added each month to the balance remaining unpaid.

This quotation is not binding and does not become a contract unless signed below by UNIVERSAL AWNING & SHADE, INC. EXECUTIVE OFFICER.

Magnolia School



PROPOSAL

220638-01

Date: 07/18/2022

Expires:

Drawing Numbers:

Project: MAGNOLIA SCIENCE ACADEMY
18220 SHERMAN WAY
RESEDA, CA 91335

Client: MAGNOLIA PUBLIC SCHOOLS
250 EAST 1ST. SUITE 1500
LOS ANGELES, CA 90012

Contact: MUSTAFA SAHIN 760-587-6031 msahin@magnoliapublicschools.org

We are pleased to offer this proposal for the following services at the above location.

Project Description:	Item Total:
MANUFACTURE AND INSTALL A 45' X 80' ROOF TOP SHADE COVER:	\$193,700.00

ONE (1) EXTERIOR WATERPROOF SHADE COVER MEASURING APPROXIMATELY 45' X 80'. THE SUPPORT ALUMINUM POSTS ARE 4" X 4" AN APPROXIMATELY 8'6" HIGH. FRAMING FOR THE SHADE STRUCTURE IS 1 1/8 " X 1 1/8" SQUARE TUBING.

FABRIC COLOR TBD BY CUSTOMER

ALL FRAMING AND ATTACHMENTS TO THE BUILDING ROOF TOP ARE TO BE REVIEWED AND APPROVED BY B&B ASSOCIATES, STRUCTURAL ENGINEERS.

ENGINEERING ATTACHMENT ADDITIONS FROM B&B ASSOCIATES CAN AFFECT THE QUOTED PRICE.

\$76,050.00

MANUFACTURE AND INSTALL A 35' X 40' A ROOF TOP SHADE COVER:

ONE (1) EXTERIOR WATERPROOF SHADE COVER MEASURING APPROXIMATELY 35' X 40'. SUPPORT POSTS ARE 4" X 4" X 8' 6" WITH THE FOOTINGS APPROXIMATELY 20" X 48" AND 1/4" REBAR SUPPORT. FRAMING WILL BE 1 1/8" X 1 1/8" TUBING COVER WITH SHADE FABRIC COLOR TBD BY CUSTOMER.

ENGINEERING ATTACHMENT ADDITIONS FROM B&B ASSOCIATES CAN AFFECT THE QUOTED PRICE.

Salesperson: Todd Gordon

Buyer _____ Seller _____



PROPOSAL

220638-01

Date: 07/18/2022

Expires:

Drawing Numbers:

Project: MAGNOLIA SCIENCE ACADEMY
18220 SHERMAN WAY
RESEDA, CA 91335

Client: MAGNOLIA PUBLIC SCHOOLS
250 EAST 1ST. SUITE 1500
LOS ANGELES, CA 90012

Contact: MUSTAFA SAHIN 760-587-6031 msahin@magnoliapublicschools.org

DESIGNS SUBMITTED ON APPROVAL.

WE WILL NEED THE ATTACHMENT INFORMATION FROM B&B ASSOCIATES WHICH WILL BE SUBMITTED TO THE CITY ALONG WITH THE STANFORD SIGN & AWNING DRAWINGS.

SECTION 3.0

STANFORD SIGN & AWNING IS SUBMITTING A PROPOSAL FOR THE ROOF TOP SHADE COVERS AT 18220 SHERMAN WAY, RESEDA CA. 91335

WE WOULD VERY MUCH LIKE TO BE THE VENDOR OF CHOICE FOR THIS PROJECT AND KNOW THAT WITH OUR 45 YEARS EXPERIENCE MANUFACTURING CUSTOM SHADE COVERS YOU WILL BE SATISFIED WITH THE QUALITY PRODUCTS WE PROVIDE.

RESPONSIBLE PARTY: TODD GORDON CELL # 858-750-8054

SECTION 4.1.1

VENDOR QUALIFICATIONS AND EXPERIENCE

I HAVE ATTACHED A LIST OF SIMILAR PROJECTS WITH SCOPE OF WORK WITH CLIENT NAMES AND CONTACT INFORMATION.

SECTION 4.1.2

VICTOR GOMEZ: DEPARTMENT HEAD AND INSTALL MANAGER WITH 17 YERS EXPERIENCE IN MANUFACTURING AND INSTALLATION.

Salesperson: Todd Gordon

Buyer_____Seller_____



PROPOSAL

220638-01

Date: 07/18/2022

Expires:

Drawing Numbers:

Project: MAGNOLIA SCIENCE ACADEMY
18220 SHERMAN WAY
RESEDA, CA 91335

Client: MAGNOLIA PUBLIC SCHOOLS
250 EAST 1ST. SUITE 1500
LOS ANGELES, CA 90012

Contact: MUSTAFA SAHIN 760-587-6031 msahin@magnoliapublicschools.org

OUR INSTALLERS / FABRICATORS AVERAGE 12 YEARS EXPERIENCE SECTION 4.4

WARRANTY IS ONE (1) FROM THE DATE OF INSTALLATION. SECTION 4.5

SCHEDULE IS APPROXIMATELY 11 WEEKS FROM THE DATE OF CITY APPROVALS AND DEPOSIT.

Deposit Rate: 50%
Deposit: \$134,875.00

Subtotal: \$269,750.00

Total: \$269,750.00

50% DEPOSIT REQUIRED TO PROCEED.

CONTRACT LICENSE NO. 863570

ALL SIGNS AND AWNINGS ARE MANUFACTURED IN THE UNITED STATES AND HAVE A ONE (1) YEAR PARTS AND MATERIAL WARRANTY.

JOB WILL BE STARTED FOLLOWING DESIGN APPROVAL, ENGINEERING, PERMITS AND LANDLORD APPROVAL HAVE BEEN ISSUED.

PERMITS, ENGINEERING AND PERMIT LABOR WHEN REQUIRED WILL BE BILLED ADDITIONALLY. CREDIT CARD PAYMENTS WILL INCUR A 3% PROCESSING FEE.

Customer to provide two (2) copies of site plans of premises for permit purposes. Stanford Sign & Awning, Inc. **DOES NOT** provide primary electrical service to sign location. Hole drilling is subject to normal digging conditions. Any conditions other than normal are billed on a time and material basis and added to the original amount of the contract.

If either party commences an action or proceeding against the other party arising out of or in connection with this contract, including an action seeking a declaration of rights hereunder, the prevailing party shall, in addition to any relief awarded or obtained, wether by settlement, arbitration, complete adjudication or otherwise, be entitled to recover from the losing party reasonable attorneys' fees and costs of suit. Interest expense of 1.5% per month will be incurred for all past due amounts over 30 days. Removal of signage allowed for non-payment.

Salesperson: Todd Gordon

Buyer's Acceptance _____ Title _____ Date _____

Seller's Acceptance _____ Title _____ Date _____