GENERAL CONDITIONS AND TERMS OF AGREEMENT

1. **Acceptance:** The Contractor, by accepting this order, agrees to all of the conditions and terms specified within.

2. **Disagreement:** If this order does not agree with your quotation, please contact the Buyer.

3. **Special Conditions:** Special conditions include the Bid Document and/or Purchase Order shall take precedence over any provisions stipulated hereunder.

4. **Infringements and Indemnification**: The contractor agrees to protect, defend and save the City harmless against any demand for payment for the use of any patented material, process, article, or device that may enter into the manufacture, construction, or form a part of the work covered by either order or contract and he further agrees to indemnify and have the City against it, for or on account of any injuries or damages received or sustained by any party or parties, by or from the acts of the contractor, his servants, or agents.

5. **Default Provisions:** In case of default by the contractor, the City of Montgomery may procure the articles or services from other sources and hold the contractor responsible for any excess costs occasioned thereby.

6. **Pricing:** Prices are stated in units of quantity specified.

7. **Delivery:** Prices are based on delivery to the destination designated and include all delivery and packing charges.

8. **Cash Discounts:** Time in connection with cash discount offered, will be computed from date of delivery and acceptance of final destination or from date properly executed claim voucher is received, if the latter date is later than the date of delivery and acceptance.

9. **Payments:** Partial payments may be made upon presentation of properly executed claim voucher unless otherwise stated in the purchase order. The final payment will be made by the City when the materials, supplies or equipment has been fully delivered and accepted or the work completed to the full satisfaction of the City.