



Terms and Conditions

1. CREDIT TERMS AND POLICY: In consideration of such extension of credit all invoices shall be due and payable in 30 days. Morrell Masonry Supply, Inc. follows the deadlines outlined in Chapter 53 of the State of Texas Property Code to secure funds due. Purchaser is responsible for all fees related to the lien process and reasonable attorney's fees, collection costs and interest at the maximum rate allowed by law for any other action taken to collect on the account. Payments received after attorney fees are incurred shall first be applied to the attorney fees accrued at the time the payment is received. Purchaser agrees that all claims, disputes, and lawsuits arising out of or in connection with the credit agreement shall be resolved or adjudicated in Harris, County Texas.

2. DELIVERY POLICY: Material Deliveries using MMS trucks will be allotted 45 minutes for up to 7 pallets and 1 hour for 8 or more pallets. Orders with more than 48 bundles of foam will require customer assistance in unloading and will be allotted 1 hour for delivery. Sand Deliveries will be allotted 30 minutes.

Additional delivery fees of \$100 per hour will be incurred for any special delivery requests or delays that extend the delivery beyond its allotted. Time will be billed in 15-minute increments.

Additional Delivery Fees may include, but not limited to:

- Limited access –Such as missing gate code, vehicles, equipment, or materials blocking entrance, exit or staging area, jobsite conditions such as mud, steep hills, low trees, or other unsafe access for our MMS truck or equipment.
- Special Instructions- Such as waiting for onsite personnel or instructions for specific placement. [OB]
- Any other reason or cause beyond MMS' control.

Freight Rates:

- Material
 - Material orders over \$1,000
 - Less than 40 miles round trip-\$75 flat delivery fee.
 - More than 40 miles round trip - \$75 for first 40 miles plus \$3.75 per additional mile.
 - Under \$1,000 - \$3.75 per mile with a minimum of \$150.
 - Under \$500 - \$3.75 per mile with a minimum of \$200.
- Sand
 - All Sand orders delivered with our truck will be charged \$3.75 per mile round trip with a minimum freight fee of \$75.

Other Charges and Fees:

- Expedite fee – There will be a \$75 fee for orders after 2 PM for delivery the next day or any orders requesting same day delivery.

- Restocking Fee
 - Materials - 25% restocking fee for any materials being returned after departure from our yard.
 - Sand – 25% restocking fee plus mileage if the truck has left our yard on the delivery. Mixed aggregates are not eligible for return.
- Modification Fee
 - Materials -Any modifications to delivery orders that have been picked will incur a \$15 fee per pallet or pallet space modified. Modifications included adding or removing material, changes to delivery date, time, or carrier.
 - Sand – \$60 per load modification fee for any sand delivery orders cancelled or rescheduled after sand has been loaded in our truck but not departed from our yard.

3. RETURN POLICY: All returns must be within 30 days of receipt of shipment for credit. A 25% restocking fee will be assessed on all approved returns. All returns will be for IN-STORE CREDIT ONLY, no cash refunds. Non-Returnable/Non-Refundable Merchandise includes Special Order Materials, Custom Fabricated, Bagged Products, Bulk Aggregates, and open pallets of CMU Block.

4. GENERAL: All special fabricated and special orders will be invoiced upon completion or arrival at MMS. Orders not picked up after 45 days are considered abandoned and will be resold or disposed of at MMS's discretion.

All charges are taxable unless an acceptable tax certificate is provided. Tax certificates will only be accepted within 30 days of invoice. After 30 days, Purchaser must go to the State Comptroller to recoup their taxes.

5. NSF/CHARGEBACKS: A \$50.00 non-sufficient fund fee will be assessed if your paper check, electronic check or ACH is returned unpaid by your bank for any reason. Certified funds in the form of cash, cashier's check or credit card will be required to pay for the returned items and fee. You will be required to pay with certified funds for 12 months after 2 or more returned item occurrences.