



***SAMPLE* Contract Proposal – John & Jane Sample – Santa Monica to Boston – June 25 – June 29**

June 3, 2019

Dear Potential Customer:

My Proposal Template is an ever-evolving document. Although I have been driving 26' box trucks since I was 19, running the business is definitely a learning experience, and these lessons regularly become the fine print "bullets" on this proposal. I think you will find it very fair, detailed, and transparent. Maybe I just haven't been doing this job long enough to be able to "guestimate" a fair price when customers put me on the spot and ask me to do that... But honestly, I don't believe it's ethical the way many contractors blurt out some puffed up padded price to see what they can get away with. I also need to remind some customers of everything necessary to complete your jobs. There have been a few people who claimed flying (back home from the East Coast for an entire day) is so fun, it shouldn't be "on the clock."

Please read over the following few pages carefully, make notes where you have questions, and I will be glad to address your concerns.

Acumen Driving Specialists will:

- ✓ Provide Penske 26' truck, 3 doz blankets & industrial lock for door
- ✓ Assist **your 3-person team** loading *OUT* June 25th for 2 Hours
- ✓ Drive your stuff to Boston, MA
- ✓ Pay for all Fuel
- ✓ Help your team *Unload* for 1 Hour

Tasks to complete your job.		Hours
1	Über to Penske, get truck, go to your address in SM for 9AM Arrival June 25 th	2
2	Lead/help your team LOAD truck	2
3	Drive diesel (slow) truck governed at 70mph to Boston, MA	45
4	Help your team UNLOAD truck	1
5	Top off fuel, return truck to Penske, Über to Airport, pre-flight, flight to LAX, Über home.	5
Total Labor Hours		55
6	55 Service / Labor Hours x Peak Season Rate \$35 =	1925
7	Penske 26' Truck with all insurances, 3 doz moving blankets, Appliance Dolly, tie downs, and lock. (Regularly \$3755) <small>*Please verify rental truck rates but don't stop at the BASE rates. INCLUDE ALL insurances, and blankets. Acumen will not roll without insurance.</small>	2500
8	Diesel (see GasBuddy Estimate) 26' Penske will get 9-10mpg depending on wind speed and direction <small>I DO NOT follow GasBuddy's exact directions (deviate miles off-highway) to save a few cents.</small>	950
9	Return Airfare. Acumen flies almost exclusively on SouthWest Airlines.	180
10	Über/Lyft	50
11	Per Diem 4 days x \$125 per day	500
Total Out-Of-Pocket Expenses and Labor/Driving Hours		6105

■ **1. No Hidden Charges ...**

I am proud to distinguish Acumen from the MANY competitors who regularly use the #1 Scam to win contracts, which is to bid very low, with **every intention** of inventing LOTS of extra charges on moving day. From experience, these criminals know most people will consider the horrible position they are in and pay the extortion prices. If you **don't** accept their new drastically increased price, they will leave. Acumen gets frantic calls from their victims all the time. Some examples of Bogus extra charges I have seen include, "Danger Pay" for working around dogs, "Undisclosed Stairs or steps" when a client forgot about 4 steps on the sidewalk leading up to her apartment, and my favorite, a child's headboard that had room for books was considered a bookshelf. The Mover stopped the entire job until the client agreed to a \$300 upcharge. Sometimes tiny unforeseeable problems **that are NOBODY'S fault** require we make extra efforts to honor our contract, but Acumen would rather "man up," take a few extra minutes, make friends with a dog, and keep working than to make a mountain out of a molehill. Only when there is an issue which threatens health and safety will we **have to delay** (and therefore charge extra). More information about these types of issues and delays are in bullet 7.

... And NO FREE Services – Just as customers expect to be treated honestly and fairly, Acumen expects the same, and customers must honor the contract too. Be ready at the agreed time. DO NOT procrastinate. If, in the days before the move, you start to fall behind, GET HELP! **Do not plan on Acumen's Driver finishing your responsibilities.** Do not fail to hire/arrange and ENSURE adequate loading / unloading labor. In the event you are not ready (which is common) and Acumen surpasses contract hours for LOAD or UNLOAD, there WILL be

additional charges of \$50 per hour.

■ **2. Truck Wizard** - Acumen Driving Specialists, LLC is a **Driving Services** company, NOT a Full-Service Moving Company, who by law MUST send a trained Estimator to determine the weight and cubic footage of your stuff. Acumen, like PODS, U-Pack, U-Box, etc, leaves that responsibility to YOU. **Acumen requires all customers to take 5-10 minutes to complete Penske's online Truck Wizard tool. (CTRL + Click this link to go there).** The Truck Wizard takes you room by room, you click on what you have, and it tells you what size Truck you need (12, 16, 22 or 26 foot). **Please SAVE the inventory list and share with Acumen for our necessary records.** Answer honestly; It is very common for people to underestimate how much stuff they have. **Bullet 8** is all about this issue.

■ **Packing.** Again, Acumen's prices are a fraction of Full-Service Moving Companies because YOU do everything you can. Pack well, and pack valuable, sentimental items *especially* well. There is a wealth of information online on how to do it. You must disclose any priceless and highly delicate items, and I may ask you to seek alternative shipping options. Acumen Driving Specialists, LLC cannot be held liable for damage due to inadequate packing and the rough conditions of some sections of America's highways. **DO NOT "dumpster dive" for boxes. Try NOT to use boxes of many shapes and sizes; It makes loading the truck take 3x longer, and when the corners don't meet, boxes overlap, collapse, and items break.** Boxes from Home Depot are designed as part of a system that stack neatly, quickly, and create strong, stable stacks without ANY wasted space. Buy Plenty! Anything you do not use can be returned and refunded. Do NOT over-load boxes. No box should weigh over 50 pounds. Heavy items go in small boxes. Large boxes are for lamps surrounded by pillows and similar light bulky items. Use linens, t-shirts, dresses as Packing Material. It's less plastic material you have to buy, and if you use up all your clothes as packing, that's a few boxes you didn't have to buy. Many people packing quickly use trash bags for clothes. This is good; there are always "crevices and caves" into which these soft bags can go and provide extra padding. Just RE-USE THOSE bags later for actual trash. They make great slip covers for 5-10 items of clothing on hangers too! Stop Grocery Shopping and Stop eating out as soon as you know you are moving! Use up all the food in the pantry. Don't be that family who bought 100 lbs of canned goods the week before moving. Consider donating to a local food bank ☺

Loading. YOU must provide enough labor force to complete loading/ unloading within the HOURS on the contract. **(more in bullet 8)** Though Acumen knows and uses Moving Industry best-practices for helping you load your truck, **you** are in charge of your move, **you are expected** to monitor the loading of the truck from the beginning, voice any concerns you may have, and it is **you** who is ultimately responsible for any damages. That said, let us assure you damages are very rare and have been very slight. I want happy customers, and so your best interests are MY best interests. I monitor everyone involved and alert you if I see or hear someone mishandling your belongings or see items poorly packed and likely to be damaged.

■ **3a. Security Deposit** - Acumen Driving Specialists follows standard protocol and requires a security deposit. Once you accept this contract proposal, Acumen invests time and money in this job, scheduling, purchasing airfare, etc. More important, we decline all other offers for work for your time frame. Customers have Acumen's \$75,000 bond and impeccable reputation to guarantee we will honor our end of the contract; Acumen needs a non-refundable \$500 deposit as incentive for customers to honor theirs.

■ **3b. Final Payment** – Unfortunately, my kindness has been exploited:

- Jessica C of Long Beach, CA
- Susan S of Minneapolis, MN
- Mathew Charney (On the Run, Wanted by FBI & LAPD)
- Melanie A of Altus, OK
- Keith B of Brentwood, TN
- John S of Burlingame, CA
- Jason K of Santa Monica

These people took advantage of Acumen's former usual routine of unloading before collecting payment, then either wrote bad checks, worthless IOUs, or made empty promises to pay soon. Because of this recurring problem, Acumen has no choice but to require payment before completely unloading. You or your representatives will be invited into the truck to see your shipment is all there, and some items may be off-loaded into your new house or storage unit. However, before unload is complete, your entire balance must be settled.

For final payment, I prefer Cash, Cashier's Check, Money Order, **ZELLE** (Major bank to bank electronic transfer), Venmo, or Personal Check (with proof of balance). I will accept Credit Cards, or PayPal, but please realize those services charge 2-3% which is a substantial expense I am unwilling to absorb. If you want to use a credit card, this service fee will be added to your final balance.

■ **4. Per Diem** - Safety is Acumen's most important mission. A good night's rest, and decent meals every day are paramount for staying focused and staying alive. **Per Diem** covers ever-increasing costs of hotels and food while away from home.

■ **5. Punctuality** – Acumen is very proud of our record of punctuality and our strategies to stay that way, but on the road, there are countless things beyond Acumen's control that can happen. In the event of a delay, regardless of whose fault, Acumen will NOT and cannot be held financially liable (no partial refunds for delays). We will be in constant contact, provide you with a Google Maps Hyperlink with which you can track my exact location (except while I am sleeping and my phone is off), and you will be kept informed of precise times for my arrival, especially if there are known delays. Let your helpers on the far side know they will be given more precise times as soon as the truck actually gets underway and especially precise times the evening before the unload into the new house.

■ **6. Over-Contract Delays** – The opposite of the previous bullet, is NOT the case. Customers are in a much better position than Acumen to know the factors that could affect the time it takes to complete a job. Acumen will ask questions, but again, may not know the right questions to ask. You MUST disclose ALL pertinent information that MIGHT affect the time it takes to complete your job. The following are examples of issues that have caused delays in the order of how common they are.

- 1) Customer has WAY MORE Stuff than they said they had.
- 2) Customer procrastinated and is not finished packing when Acumen arrived right on schedule.
- 3) Loaders don't show up, Customer did not arrange for enough loaders, or they are low quality (Slow, Lazy, inexperienced, etc).
- 4) Customer failed to secure parking in front of apartment and Crew must carry items a far distance. Get a Red Zone Parking Permit.
- 5) New house not ready.
- 6) Customer arrives in new city much later than Acumen. *this can be solved with pre-planning.
- 7) Customer failed to disclose Driveway was too steep for truck to go down, Tiny Elevators in 100 year old building, Gated-Community Access limited and then customer doesn't answer phone for 7 hours.

When delays like these happen, that are undeniably the fault of the customer, Acumen cannot be expected to work extra hours without compensation, so there will be additional charges of \$50 per hour.

■ **7. Issues of Health & Safety** - Acumen reserves the right to refuse to work in homes that are dangerous to our safety, health and well-being. These issues include general filth, roaches, rodents, excessive animals, feces, toxic fumes, clutter, trip hazards, unsafe passages, hostility from client, animals, or neighbors. We will pause (DELAY) for a day to two allow you to fix the problem and make the site safe. Unplanned day waiting will be incurred a short 10 hour day (\$300-\$350) plus *Per Diem* (\$125). In the event of a delay of multiple days, Acumen may have another job scheduled and need to postpone completion of your job until the cause of the delay has been resolved. You would be responsible for all additional travel expenses and hours.

These two bullets 6 and 7 sound terrible, I know, so disclose all important information that might cause delays, start early to get your place clean and ready. If you start to fall behind, do not delay - **Get help**. Finalize your housing and line up enough reliable help.

■ **8a. STUFF!** - It is a well-known truth: People have more stuff than they think they have. 70% of my clients admit they underestimated how much stuff they have (or had ... before purging). 20% of clients wildly underestimated. And a few, it seems, thought deluding themselves or lying to Acumen would somehow save money. **It is actually quite the contrary!** If you are not honest with yourself, Penske's Truck wizard, or me, Acumen is in NO WAY responsible for getting all your extra stuff transported to your destination. If there is a way for Acumen to help, there will be an upcharge, and if there is just no way of fixing the problem, you will have to leave things behind.

Start early. Put low-priority (bulky, low-value) items in a separate area. If there is room leftover when all high-priority items are loaded on the truck, great!

■ **8b BOOKS and other HEAVY items** - You must disclose all heavy items. Books, tools, safes, pianos, gym equipment, etc are many times heavier than most other household items. 3 small boxes of books usually weighs about the same as a Love Seat which is 8x bigger than the books. There are strict laws governing the maximum payload of moving trucks with huge fines for breaking those laws. Acumen WILL NOT drive an overweight truck! If there is any possibility at all your items will exceed the load capacity (26' truck payload is 10,000 lbs), then Acumen requires a list of items/box numbers with their individual weights and their total combined weight.

■ **9. Contraband / Hazardous Materials / Non-Allowables / Plants**

There are many things you just DO NOT WANT on a tightly packed shaking HOT truck containing all your worldly possessions. Explosives, Corrosives, Flammables are obvious but there are many not-so-obvious items that can wreak havoc. On my website, see the DOCUMENTS page for a complete list. You think nail polish is harmless? I've seen messes you wouldn't believe. Sign the NO contraband/ HazMat/ Non-Allowables agreement at the bottom of this contract and text me a picture of that signature.

It does not matter if you have a license to use **Marijuana**, transporting it across state lines is a serious federal crime, and I am not doing it. To that end, Acumen may hire third-party private contractors who use Drug-Sniffing Dogs to "clear" the truck. If drugs or contraband are detected, authorities will be notified, and the vehicle handed over to them.

With invasive plant species wreaking havoc all around the world, states are getting very strict about transporting plants across state lines, and rather than have to deal with inspections, most moving companies simply refuse to transport them. Acumen however understands that some people have had plants for decades and they are sentimental. Acumen puts people before profits, and so we can TRY. Authorities at the border MAY seize and destroy your beloved plants. They may also die from heat, from falling over/planter breaking, or from rough vibration of the road. Take steps to ensure they will make the journey, but Acumen cannot guarantee their survival. At least we can try.

Penske is an integral part of my livelihood, so when they say NO HAZ-MAT, I follow orders. Use up/give away Gas in your gas cans, paint and paint thinner, Acetone, Lacquer Thinner, ALL flammables, and volatile chemicals. Wrap Cologne/Perfumes in paper towels then pack in Ziplocks.

■ **10. Apples to Rotten Apples** - Acumen certainly encourages you to compare us to other businesses, but make sure you are comparing apples to apples. Ask for documentation as thorough as what I provide (Business license, Bond Insurance, DMV record for driver, Criminal background). It is unfortunate for consumers, but the moving and transport industries are rife with everything from unlicensed, unqualified movers to downright criminal scam artists. Avoid brokers who do little more than subcontract out your move/transport to the lowest bidder. Acumen never subs out our moves. Be wary of representatives pushing you to sign their contract. Ensure that their written contract states (as mine does at the top AND bottom) that there will be NO increase of charges on the day of the job - **This is the #1 scam**. Many moving businesses give you a crazy cheap quote knowing full well that on the day of the move they are going to increase their price substantially. *ask me who to watch out for. They know from experience that given the horrible position their victims are in, chances are good that you will acquiesce and pay their extortion. I get calls frequently from frantic people saying their movers just tried to double their price and when the customer refused to be swindled, the movers drove away.

■ **11. Pull the Trigger** - Once you have Acumen's proposal, discuss it with your partners, and if you like it, secure your job with a deposit. It is almost certain if you "sit on" an offer, truck prices and airfare will go up, and during the busy season Acumen will likely be contracted with someone else. Exact proposal details (prices, availability dates, etc.) **expire 2 hours** after submission and Acumen Driving Specialists is thereafter **NOT** obligated to fulfill the proposed offer. A deposit is the only way to lock-in your price and dates on Acumen's schedule.

■ **12. NO Cancellations. Postponements only in extreme cases** - Because Acumen invests time and far, far more money than your deposit covers, there are NO Cancellations. Any refusal to allow Acumen to fulfill our contract with you will result in you owing the full contract price. If this occurs, expect Acumen to seek legal recourse.

Postponements can be arranged only under extreme circumstances. Unfortunately, both my parents are in very poor health and could pass away at any time. In the event of a death in the family, Acumen will do our very best to find a replacement driver and complete our contract. If a replacement driver is not available, your job will have to be postponed (but only for a few days.) If a death occurs in *your*

immediate family, there are a few options: 1) If we have not PAID for and picked up your rental truck, we can postpone to a date that works for both of us. *Acumen regularly picks up the truck 1 or 2 days before you load out to insure we can secure the truck. 2) If we HAVE picked up and paid for your truck, Acumen MAY be able to "pause" for a few days, but additional days, if Acumen is out of town, are chargeable at \$300 [10 hours x \$30] + \$125 *per diem* . We may have other contracts to fulfill, in which case option #3 will be necessary... 3) We are happy to work with a representative for you, or under such extreme circumstances, we can probably complete the job without you physically present and have you "supervise" and authorize the job by video call. We have completed several jobs without the client present, and they have approved the loading job with pictures, and everything worked out perfectly.

■ **13. Acceptance of Terms** - By returning this electronic document with a digital signature AND making the \$500 non-refundable deposit within 2 hours of first submission of this proposal, you accept the terms of this electronic document and enter into a legally binding contract with Acumen Driving Specialists. If you make the deposit AFTER the 2-hour contract offer has expired, Acumen may or may not accept your job. (Acumen has 24 hours to refund your deposit.) Often Acumen gets multiple contract offers per day, especially in Spring/Summer, and Acumen must go with the customer who pays their deposit first. Equally important, Truck and Airfare prices inevitably increase. When you are ready to "lock-in" we will have to check our schedule and prices again. Once Acumen accepts your digitally signed response AND deposit, this electronic document becomes a legally binding contract between you and Acumen Driving Specialists.

■ **14 (Basically Bullet 1 Again)** Because it happens so often, we must re-state and emphasize ... **No Free Hours - No prices or services will be added to or subtracted from this contract by either Acumen or you the client without the written consent and financial compensation to or from the other party.**

Thank you again John and Jane for your trust in Acumen Driving Specialists. I look forward to working with you. Please do not hesitate to contact me if you have any questions or concerns.

Robert Burke, Owner Acumen Driving Specialists, LLC
bobby@acudrive.biz
408.88.DRIVE

* Print your name, Sign and Date in the box, then Text / Email a picture to Bobby at 408.883.7483 or Bobby@AcuDrive.biz

I, _____ attest there will be / are NO drugs, HazMat or Non-allowables packed on the truck driven by Acumen Driving Specialists, LLC.

Signature: _____ Date / / 2019

I, _____ agree to the use of electronic documents & electronic signatures, **ACCEPT the TERMS** of this proposal, and enter into a legally binding contract with Acumen Driving Specialists, LLC

Signature: _____ Date: / / 2019