

**AMENDMENT # 1 to
PRICE AGREEMENT#2595**

I. This is Amendment No.1 to Price Agreement #2595 dated August 28, 2012 (as amended from time to time, the "Price Agreement") between the State of Oregon, acting by and through its Department of Administrative Services, Procurement Services, hereafter called "DAS PS" or "State" and Dustbusters Enterprises, Inc. hereafter called "Contractor". This Amendment is effective on the date it has been signed by every party and approved in accordance with applicable law.

II. The Price Agreement (PA) is hereby amended as follows (new language is indicated by underlining in bold and deleted language is indicated by brackets with strikethrough);

A. The PA Cover Page is modified as follows:

PRICE AGREEMENT
WITH
DUSTBUSTERS ENTERPRISES, INC.
FOR
CORROSION INHIBITED LIQUID MAGNESIUM
CHLORIDE DEICER AND
COLD WEATHER MODIFIED CORROSION INHIBITED
LIQUID MAGNESIUM CHLORIDE DEICER

B. PA Section 3 is modified as follows:

"3.2 Contractor shall include with all Goods delivered all of the following items:

3.2.1 BILL OF LADING. The bill of lading for each shipment must contain the following information:

3.2.1.1 Name of product.

3.2.1.2 Supplier and manufacturer of product.

3.2.1.3 Delivery Destination.

3.2.1.4 Total number of units being delivered (in both tons and gallons).

i. One ton of Corrosion Inhibited Liquid Magnesium Chloride equals approximately 185 gallons.

ii. One ton of Cold Weather Modified Corrosion Inhibited Magnesium Chloride equals approximately 189 gallons."

C. PA Exhibit A Specifications, Goods and Services Section 1 and Section 3 are modified as follows:

"1.0 SPECIFICATIONS: These specifications describe the type of Deicer that Authorized Purchasers may obtain from this Agreement.

1.1 Corrosion Inhibited Liquid Magnesium Chloride

The technical specifications for the Goods are those for corrosion inhibited liquid magnesium chloride deicer products listed on the 2011 PNS QPL.

The Specifications include PNS general specifications and the PNS chemical product category 1 for corrosion inhibited liquid magnesium chloride deicer specifications and the PNS test method A concentration percentage of active ingredient in liquid chemical product.

The list and most current specifications are available on the PNS web site at <http://www.wsdot.wa.gov/partners/pns/pdf/PNSSPECS.pdf>

During the term of the Agreement Contractor shall provide Goods that meet the specifications on the detailed product sheet for the named product on the QPL list at the effective date of this Agreement.

1.2 Cold Weather Modified Corrosion Inhibited Liquid Magnesium Chloride:

All Goods provided under this Agreement must meet the requirements for a PNS Category I corrosion inhibited liquid magnesium chloride with the following modifications:

- i. **The product concentration must be at a minimum of 27% concentration magnesium chloride;**
- ii. **The product must contain organic or chemical modifiers such that the product will stay flowable, usable, and not freeze at a temperature of minus 25 degrees Fahrenheit when tested in a concentration range of 18-20% magnesium chloride; and**
- iii. **The eutectic temperature curve must contain the specific gravity, percent concentration, and freezing points for the submitted product. The eutectic curve test data must be conducted and certified by an independent laboratory using ASTM D1177 as modified by the PNS. The independent laboratory must be familiar with the PNS testing procedures and have experience in liquid deicer testing.**

Contractor shall submit the eutectic information in both a chart and a graphical method upon request by an Authorized Purchaser."

"3.0 GOODS

Corrosion Inhibited Liquid Magnesium Chloride and Cold Weather Modified Corrosion Inhibited Liquid Magnesium Chloride."

D. PA Exhibit A Specifications, Goods and Services Section 6 Pricing and Delivery Locations is modified to include sub-sections 6.2.4, 6.2.5, and 6.2.6 for Cold Weather-Modified Corrosion Inhibited Liquid Magnesium Chloride as attached and incorporated by this reference.

III. Except as expressly amended above, all other terms and conditions of the Price Agreement are still in full force and effect. Contractor certifies that the representations, warranties and certifications contained in the Price Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of execution of the Price Agreement.

Certification: By signature on this Contract for Contractor, the undersigned hereby certifies under penalty of perjury that the undersigned is authorized to act on behalf of Contractor and that Contractor is, to the best of the undersigned's knowledge, not in violation of any Oregon Tax Laws. For purposes of this certification, "Oregon Tax Laws" means a state tax imposed by ORS 320.005 to 320.150 and 403.200 to 403.250 and ORS chapters 118, 314, 316, 317, 318, 321 and 323 and the elderly rental assistance program under ORS 310.630 to 310.706 and local taxes administered by the Department of Revenue under ORS 305.620.

CONTRACTOR: Dustbusters Enterprises, Inc.

By: *J. Emily Kato* *President* *9-18-2012*
Name: Title: Date

DEPARTMENT OF ADMINISTRATIVE SERVICES, STATE PROCUREMENT OFFICE:

Approved By: *Melissa Canfield* *Strategic Sourcing Mgr* *9/19/12*
Name: Melissa Canfield Title: Transaction Manager Date

APPROVED AS TO LEGAL SUFFICIENCY Approved By: Not required per OAR 137-045-0050

Department of Administrative Services
Enterprise Goods and Services Division
PROCUREMENT SERVICES
FAX (503) 373-1626

TO:	Gail L. Carter, State Procurement Analyst DAS, Procurement Services 1225 Ferry Street SE U140, Salem, OR 97301
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From:	<u>E. Craig Prete</u>
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Fax:	<u>(307) 789-3888</u>
Date:	<u>September 18, 2012</u>
Pages (including this cover page): 2	

Statewide Price Agreement (PA) #2595, Amendment 1

I, (signature) E. Craig Prete, (title) President

received a complete copy of PA 2595 Amendment 1 between the State of Oregon acting by and through the Department of Administrative Services, Procurement Services and Dustbusters Enterprises, Inc. by e-mail from Gail L. Carter.

On September 18, 2012, I signed the printed form of PA 2595 Amendment 1 without change from the originally transmitted document. A copy of the signature page from the PA Amendment is included with this transmission.

**PA 2595 Exhibit A
Specifications, Goods and Services**

6.0 PRICING, DELIVERY LOCATIONS AND CONTRACTOR STORAGE LOCATIONS is modified to include sub-sections 6.2.4, 6.2.5, 6.2.6 for Cold Weather Modified Corrosion Inhibited Liquid Magnesium Chloride Deicer.

6.2.4 3 Day Delivery Cold Weather Deicer

Cold Weather Modified Corrosion Inhibited Liquid Magnesium Chloride FreezGard Lite Cl+			
Item #	District	Delivery Location	Base Delivered Price Per Ton
1-3 CW	1	Clatskanie	169.71
2-3 CW	1	Deer Island (Clatskanie)	157.68
3-3 CW	1	Humburg	171.27
4-3 CW	1	Manning (Banks Maintenance)	171.02
5-3 CW	1	Tillamook	161.54
6-3 CW	1	Warrenton	173.57
7-3 CW	2B	Baldock	169.6
8-3 CW	2B	Canemah (Milwaukie)	145.54
9-3 CW	2B	Carus (Milwaukie)	145.54
10-3 CW	2B	East Portland	165.59
11-3 CW	2B	Milwaukie	165.59
12-3 CW	2B	North Portland	165.59
13-3 CW	2B	Powell Stockpile Site @ I-205 (E. PtInd.)	148.55
14-3 CW	2B	Route 30, MP 13.54 N of Linton (N. PtInd.)	158.57
15-3 CW	2B	Sylvan	143.53
16-3 CW	2B	Wilsonville	148.55
17-3 CW	2C	Cascade Locks	174.33
18-3 CW	2C	Estacada	161.87
19-3 CW	2C	Govt Camp	171.67
20-3 CW	2C	Parkdale	178.47
21-3 CW	2C	Sandy	153.55
22-3 CW	3	Buell (OR Rt. 22, MP 4.64) (McMinnville)	150.27
23-3 CW	3	Detroit	156.83
24-3 CW	3	McMinnville	166.31
25-3 CW	3	Newberg (McMinnville)	156.28
26-3 CW	3	Salem (City/ODOT Salem)	156.28
27-3 CW	3	Woodburn (Salem)	171.85
28-3 CW	4	Albany	173.33
29-3 CW	4	Corvallis	169.2
30-3 CW	4	Ona Beach	174.59
31-3 CW	4	Rose Lodge	171.86
32-3 CW	4	Sweet Home	166.85
33-3 CW	4	Wakefield Rd.(US 20, MP 27) (Ona Beach)	165.57
34-3 CW	5	Florence	176.42
35-3 CW	5	Glenwood	158.37
36-3 CW	5	McKenzie Bridge	176.42
37-3 CW	5	Oakridge	193.46
38-3 CW	5	Veneta	183.43
39-3 CW	7	Boswell Springs	179.42

40-3 CW	7	Davis Slough	200.25
41-3 CW	7	Glendale (I-5 MP 83.29, Barton Rd.) (Shady)	185.1
42-3 CW	7	Port Orford	189.85
43-3 CW	7	Reedsport	172.15
44-3 CW	7	Shady (Roseburg)	192.2
45-3 CW	8	Ashland	201.63
46-3 CW	8	Cave Junction	185.76
47-3 CW	8	Central Point	201.39
48-3 CW	8	Grants Pass	199.08
49-3 CW	8	Hugo (MP 67 on I-5) (Grants Pass)	175.47
50-3 CW	8	Lemolo (MP 73) (Prospect)	201.88
51-3 CW	8	Lincoln (Ashland)	188.51
52-3 CW	8	Prospect	204.35
53-3 CW	8	Siskiyou (Upper Shed) (Ashland)	196.97
54-3 CW	8	Slide Creek (MP 55) (Prospect)	185.4
55-3 CW	9	Arlington	178.6
56-3 CW	9	Condon	164.52
57-3 CW	9	Maupin	158.01
58-3 CW	9	Moro	173.05
59-3 CW	9	Rufus (I-84, MP 109) (The Dalles)	160.43
60-3 CW	9	Shaniko (Moro)	162.79
61-3 CW	9	The Dalles	170.45
62-3 CW	9	Warm Springs	177.47
63-3 CW	10	Bend	185.98
64-3 CW	10	Brothers	192.45
65-3 CW	10	Chemult	172.15
66-3 CW	10	LaPine	181.38
67-3 CW	10	Madras	187.98
68-3 CW	10	Mitchell	184.43
69-3 CW	10	Prineville	187.98
70-3 CW	10	Sisters	187.98
71-3 CW	11	Chiloquin	172.25
72-3 CW	11	Klamath Falls	200.02
73-3 CW	11	Lake-of-the-Woods	189.8
74-3 CW	11	Lakeview	197.82
75-3 CW	12	Heppner	173.49
76-3 CW	12	Hermiston	170.33
77-3 CW	12	Meacham	159.07
78-3 CW	12	Mission Sand Shed (Pendleton)	162.34
79-3 CW	12	Poverty Flats (Meacham)	151.01
80-3 CW	12	Spray	159.53
81-3 CW	12	Ukiah	158.22
82-3 CW	13	Baker City	153.55
83-3 CW	13	Elgin	160.07
84-3 CW	13	Enterprise	165.97
85-3 CW	13	LaGrande	158.1
86-3 CW	13	Richland (Baker City)	136.86
87-3 CW	14	Basque	156.44
88-3 CW	14	Burns	144.99
89-3 CW	14	Canyon City	147.74
90-3 CW	14	Jordan Valley	144.65
91-3 CW	14	Juntura	150.55
92-3 CW	14	Ontario	141.37

93-3 CW	14	Vale	136.19
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6.2.5 6 Day Delivery Cold Weather Deicer

Cold Weather Modified Corrosion Inhibited Liquid Magnesium Chloride FreezGard Life Cl+

Item #	District	Delivery Location	Base Delivered Price Per Ton
1-6 CW	1	Clatskanie	168.21
2-6 CW	1	Deer Island (Clatskanie)	156.18
3-6 CW	1	Humburg	169.77
4-6 CW	1	Manning (Banks Maintenance)	169.52
5-6 CW	1	Tillamook	160.04
6-6 CW	1	Warrenton	172.07
7-6 CW	2B	Baldock	168.1
8-6 CW	2B	Canemah (Milwaukie)	144.04
9-6 CW	2B	Carus (Milwaukie)	144.04
10-6 CW	2B	East Portland	164.09
11-6 CW	2B	Milwaukie	164.09
12-6 CW	2B	North Portland	164.09
13-6 CW	2B	Powell Stockpile Site @ I-205 (E. PtInd.)	147.05
14-6 CW	2B	Route 30, MP 13.54 N of Linton (N. PtInd.)	157.07
15-6 CW	2B	Sylvan	142.03
16-6 CW	2B	Wilsonville	147.05
17-6 CW	2C	Cascade Locks	172.83
18-6 CW	2C	Estacada	160.37
19-6 CW	2C	Govt Camp	169.67
20-6 CW	2C	Parkdale	176.97
21-6 CW	2C	Sandy	152.05
22-6 CW	3	Buell (OR Rt. 22, MP 4.64) (McMinnville)	148.77
23-6 CW	3	Detroit	155.33
24-6 CW	3	McMinnville	164.81
25-6 CW	3	Newberg (McMinnville)	154.78
26-6 CW	3	Salem (City/ODOT Salem)	154.78
27-6 CW	3	Woodburn (Salem)	170.35
28-6 CW	4	Albany	171.83
29-6 CW	4	Corvallis	167.7
30-6 CW	4	Ona Beach	173.09
31-6 CW	4	Rose Lodge	170.36
32-6 CW	4	Sweet Home	165.35
33-6 CW	4	Wakefield Rd.(US 20, MP 27) (Ona Beach)	164.07
34-6 CW	5	Florence	174.92
35-6 CW	5	Glenwood	156.87
36-6 CW	5	McKenzie Bridge	174.92
37-6 CW	5	Oakridge	191.96
38-6 CW	5	Veneta	181.93
39-6 CW	7	Boswell Springs	177.92
40-6 CW	7	Davis Slough	198.75
41-6 CW	7	Glendale (I-5 MP 83.29, Barton Rd.) (Shady)	183.6
42-6 CW	7	Port Orford	188.35

43-6 CW	7	Reedsport	170.65
44-6 CW	7	Shady (Roseburg)	190.7
45-6 CW	8	Ashland	200.13
46-6 CW	8	Cave Junction	184.26
45-6 CW	8	Central Point	199.89
48-6 CW	8	Grants Pass	197.58
49-6 CW	8	Hugo (MP 67 on I-5) (Grants Pass)	173.97
50-6 CW	8	Lemolo (MP 73) (Prospect)	200.38
51-6 CW	8	Lincoln (Ashland)	187.01
52-6 CW	8	Prospect	202.85
53-6 CW	8	Siskiyou (Upper Shed) (Ashland)	194.97
54-6 CW	8	Slide Creek (MP 55) (Prospect)	183.9
55-6 CW	9	Arlington	177.1
56-6 CW	9	Condon	163.02
57-6 CW	9	Maupin	156.51
58-6 CW	9	Moro	171.55
59-6 CW	9	Rufus (I-84, MP 109) (The Dalles)	158.93
60-6 CW	9	Shaniko (Moro)	161.29
61-6 CW	9	The Dalles	168.95
62-6 CW	9	Warm Springs	175.47
63-6 CW	10	Bend	183.98
64-6 CW	10	Brothers	190.95
65-6 CW	10	Chemult	170.65
66-6 CW	10	LaPine	179.88
67-6 CW	10	Madras	186.48
68-6 CW	10	Mitchell	182.93
69-6 CW	10	Prineville	186.48
70-6 CW	10	Sisters	186.48
71-6 CW	11	Chiloquin	170.75
72-6 CW	11	Klamath Falls	198.52
73-6 CW	11	Lake-of-the-Woods	188.3
74-6 CW	11	Lakeview	196.32
75-6 CW	12	Heppner	171.99
76-6 CW	12	Hermiston	168.83
77-6 CW	12	Meacham	157.07
78-6 CW	12	Mission Sand Shed (Pendleton)	160.84
79-6 CW	12	Poverty Flats (Meacham)	149.51
80-6 CW	12	Spray	158.03
81-6 CW	12	Ukiah	156.72
82-6 CW	13	Baker City	152.05
83-6 CW	13	Elgin	158.57
84-6 CW	13	Enterprise	164.47
85-6 CW	13	LaGrande	156.1
86-6 CW	13	Richland (Baker City)	135.36
87-6 CW	14	Basque	154.94
88-6 CW	14	Burns	143.49
89-6 CW	14	Canyon City	146.24
90-6 CW	14	Jordan Valley	143.15
91-6 CW	14	Juntura	149.05
92-6 CW	14	Ontario	139.87
93-6 CW	14	Vale	134.69

6.2.6 15 Day Delivery Cold Weather Deicer

**Cold Weather Modified Corrosion Inhibited Liquid Magnesium Chloride
FreezGard Lite CI+**

Item #	District	Delivery Location	Base Delivered Price Per Ton
1-15 CW	1	Clatskanie	166.71
2-15 CW	1	Deer Island (Clatskanie)	154.68
3-15 CW	1	Humburg	168.27
4-15 CW	1	Manning (Banks Maintenance)	168.02
5-15 CW	1	Tillamook	158.54
6-15 CW	1	Warrenton	170.57
7-15 CW	2B	Baldock	166.6
8-15 CW	2B	Canemah (Milwaukie)	142.54
9-15 CW	2B	Carus (Milwaukie)	142.54
10-15 CW	2B	East Portland	162.59
11-15 CW	2B	Milwaukie	162.59
12-15 CW	2B	North Portland	162.59
13-15 CW	2B	Powell Stockpile Site @ I-205 (E. PtInd.)	145.55
14-15 CW	2B	Route 30, MP 13.54 N of Linton (N. PtInd.)	155.57
15-15 CW	2B	Sylvan	140.53
16-15 CW	2B	Wilsonville	145.55
17-15 CW	2C	Cascade Locks	171.33
18-15 CW	2C	Estacada	158.87
19-15 CW	2C	Govt Camp	167.67
20-15 CW	2C	Parkdale	175.47
21-15 CW	2C	Sandy	150.55
22-15 CW	3	Buell (OR Rt. 22, MP 4.64) (McMinnville)	147.27
23-15 CW	3	Detroit	153.83
24-15 CW	3	McMinnville	163.31
25-15 CW	3	Newberg (McMinnville)	153.28
26-15 CW	3	Salem (City/ODOT Salem)	153.28
27-15 CW	3	Woodburn (Salem)	168.85
28-15 CW	4	Albany	170.33
29-15 CW	4	Corvallis	166.2
30-15 CW	4	Ona Beach	171.59
31-15 CW	4	Rose Lodge	168.86
32-15 CW	4	Sweet Home	163.85
33-15 CW	4	Wakefield Rd.(US 20, MP 27) (Ona Beach)	162.57
34-15 CW	5	Florence	173.42
35-15 CW	5	Glenwood	155.37
36-15 CW	5	McKenzie Bridge	173.42
37-15 CW	5	Oakridge	190.46
38-15 CW	5	Veneta	180.43
39-15 CW	7	Boswell Springs	176.42
40-15 CW	7	Davis Slough	197.25
41-15 CW	7	Glendale (I-5 MP 83.29, Barton Rd.) (Shady)	182.1
42-15 CW	7	Port Orford	186.85
43-15 CW	7	Reedsport	169.15
44-15 CW	7	Shady (Roseburg)	189.2
45-15 CW	8	Ashland	198.63

46-15 CW	8	Cave Junction	182.76
47-15 CW	8	Central Point	198.39
48-15 CW	8	Grants Pass	196.08
49-15 CW	8	Hugo (MP 67 on I-5) (Grants Pass)	172.47
50-15 CW	8	Lemolo (MP 73) (Prospect)	198.88
51-15 CW	8	Lincoln (Ashland)	185.51
52-15 CW	8	Prospect	201.35
53-15 CW	8	Siskiyou (Upper Shed) (Ashland)	192.97
54-15 CW	8	Slide Creek (MP 55) (Prospect)	182.4
55-15 CW	9	Arlington	175.6
56-15 CW	9	Condon	161.52
57-15 CW	9	Maupin	155.01
58-15 CW	9	Moro	170.05
59-15 CW	9	Rufus (I-84, MP 109) (The Dalles)	157.43
60-15 CW	9	Shaniko (Moro)	159.79
61-15 CW	9	The Dalles	167.45
62-15 CW	9	Warm Springs	173.47
63-15 CW	10	Bend	181.98
64-15 CW	10	Brothers	189.45
65-15 CW	10	Chemult	169.15
66-15 CW	10	LaPine	178.38
67-15 CW	10	Madras	184.98
68-15 CW	10	Mitchell	181.43
69-15 CW	10	Prineville	184.98
70-15 CW	10	Sisters	184.98
71-15 CW	11	Chiloquin	169.25
72-15 CW	11	Klamath Falls	197.02
73-15 CW	11	Lake-of-the-Woods	186.8
74-15 CW	11	Lakeview	194.82
75-15 CW	12	Heppner	170.49
76-15 CW	12	Hermiston	167.33
77-15 CW	12	Meacham	155.07
78-15 CW	12	Mission Sand Shed (Pendleton)	159.34
79-15 CW	12	Poverty Flats (Meacham)	148.01
80-15 CW	12	Spray	156.53
81-15 CW	12	Ukiah	155.22
82-15 CW	13	Baker City	159.55
83-15 CW	13	Elgin	157.07
84-15 CW	13	Enterprise	162.97
85-15 CW	13	LaGrande	154.1
86-15 CW	13	Richland (Baker City)	133.86
87-15 CW	14	Basque	153.44
88-15 CW	14	Burns	141.99
89-15 CW	14	Canyon City	144.74
90-15 CW	14	Jordan Valley	141.65
91-15 CW	14	Juntura	147.55
92-15 CW	14	Ontario	138.37
93-15 CW	14	Vale	133.19