

State of Washington Contracts & Procurement Division – Internal Contracts Department of Enterprise Services P.O. Box 41411 Olympia, WA 98504-1411	CONTRACT AMENDMENT	
	Contract No.:	11421
Kueper North America, LLC 171 Church Street, Suite 300 Charleston, SC 29401	Amendment No.:	1
	Effective Date:	1/10/2024

**FIRST AMENDMENT
TO
CONTRACT NO. 11421
CUTTING EDGES FOR SNOWPLOW AND GRADERS**

This First Amendment (“Amendment”) to Contract No. 11421 is made and entered into by and between the State of Washington acting by and through the Department of Enterprise Services, a Washington State governmental agency (“Enterprise Services”) and Kueper North America, LLC, a South Carolina Limited Liability Company (“Contractor”) and is dated and effective as of January 10, 2024.

R E C I T A L S

- A. Enterprise Services and Contractor (collectively the “Parties”) entered into that certain Contract No. 11421, for -Categories 1 Cutting Edges for Truck Mounted Snowplows: Subcategory C Cutting Edges with Carbide Insert, 4 Ceramic Combination Blades, and 5 Carbine Combination Blades dated effective as of 11/1/2022 (“Contract”).
- B. The Parties now desire to amend the Contract to perform an automatic annual economic price adjustment.
- C. The amendment set forth herein is within the scope of the Contract.

A G R E E M E N T

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the Parties hereby agree to amend the Contract, as previously amended, as follows:

- 1. AUTOMATIC ECONOMIC PRICE ADJUSTMENT. Pursuant to Section 3.4 of the Statewide Contract Economic Price Adjustment using the Bureau of Labor Statistics Index combination of the following indices for each category awarded to determine price changes
 - a. *Steel: PPI Industry Data Code 3312, “Steel Product Manufacturing from Purchased Steel”, Database Series ID: PCU33123312,*
 - b. *Rubber: PPI Industry Data Code 32521, “Resin and Synthetic Rubber Manufacturing”, Database Series ID: PCU32521-32521,*
 - c. *Ceramics: PPI Industry Data Code 3271, “Clay Product and Refractory Manufacturing”, Database Series ID: PCU3271-3271,*

- d. *Transportation: PPI Industry Data Code 484 "Truck Transportation", Database Series ID: PCU585-484, and*
- e. *Labor: Employment Cost Index: Total Compensation for Private Industry Workers, "Goods Producing Industries", Database Code CIU201G000000000I, the prices set forth in the Exhibit B (attached) – are adjusted as follows for each awarded category:*

Category 1 Cutting Edges for Truck Mounted Snowplows: Subcategory C Cutting Edges with Carbide Insert

Cat 1 & 2				
Index	% Change	Breakdown	Overall Change	
Steel	-13.47%	35%	-4.72%	
Transportation	-1.37%	40%	-0.55%	
Labor	4.37%	25%	1.09%	
Total			-4.17%	

Category 4 Ceramic Combination Blades

Cat 4				
Index	% Change	Breakdown	Overall Change	
Ceramic	8.20%	35%	2.87%	
Transportation	-1.37%	40%	-0.55%	
Labor	4.37%	25%	1.09%	
Total			3.41%	

Category 5 Carbine Combination Blades

Cat 5				
Index	% Change	Breakdown	Overall Change	
Steel	-13.47%	11.67%	-1.57%	
Rubber	-9.17%	11.67%	-1.07%	
Ceramic	8.20%	11.67%	0.96%	
Transportation	-1.37%	40%	-0.55%	
Labor	4.37%	25%	1.09%	
Total			-1.14%	

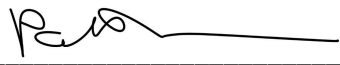
2. NO CHANGE OTHER THAN AMENDMENT. Except as amended herein, the Contract is unaffected and remains in full force and effect.
3. INTEGRATED AGREEMENT; MODIFICATION. This Amendment constitutes the entire agreement and understanding of the Parties with respect to the subject matter and supersedes all prior negotiations and representations. In the event of any conflict between this Amendment and the Contract or any earlier amendment, this Amendment shall control and govern. This Amendment may not be modified except in writing signed by the Parties.

4. AUTHORITY. Each party to this Amendment, and each individual signing on behalf of each party, hereby represents and warrants to the other that it has full power and authority to enter into this Amendment and that its execution, delivery, and performance of this Amendment has been fully authorized and approved, and that no further approvals or consents are required to bind such party.
5. ELECTRONIC SIGNATURES. An electronic signature of this Amendment or any other ancillary agreement shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment or such other ancillary agreement for all purposes.
6. COUNTERPARTS. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, and all of which counterparts together shall constitute the same instrument which may be sufficiently evidenced by one counterpart. Execution of this Amendment at different times and places by the parties shall not affect the validity thereof so long as all the parties hereto execute a counterpart of this Amendment.

EXECUTED AND EFFECTIVE as of the day and date first above written.

KUEPER NORTH AMERICA, LLC
A SOUTH CAROLINA LIMITED LIABILITY COMPANY

STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES

By:  _____

By:  _____

Name: Patricia Schuster

Name: Kelli Carmony

Title: VP of Operations

Title: Procurement Supervisor

Date: 01/03/2024 _____

Date: 1/3/24 _____