

AMENDMENT TO CONTRACT
Water Treatment Service Program
Lincoln Public Schools Contract No. 9120
City of Lincoln-Lancaster County Public Building Commission
Price Increase
Kurita America, Inc.

This Amendment is hereby entered into by and between Kurita America, Inc., 12270 43rd Street NE, St Michael, MN 55376 (hereinafter "Contractor") and the City of Lincoln-Lancaster County Public Building Commission (hereinafter "PBC"), for the purpose of amending the Contract executed by the PBC, on October 10, 2017, for Water Treatment Service Program, Lincoln Public Schools Contract No. 9120 which is made a part hereof by this reference.

WHEREAS, the parties hereby amend the contract to reflect a price increase of 9%, per Attachment A; and

WHEREAS, the expenditures for the PBC will increase by \$1,000.00 for the remainder of this Contract term; and

WHEREAS, the revised contract total with the price increase is not to exceed \$21,000.00; and

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants contained in the PBC Contract dated October 10, 2017, and stated herein the parties agree as follows:

- 1) The parties hereby amend the contract to reflect a price increase of 9%, per Attachment A.
- 2) The expenditures for the PBC will increase by \$1,000.00 for the remainder of this Contract term.
- 3) The revised contract total with the price increase is not to exceed \$21,000.00.
- 4) All other terms of the Contract, not in conflict with this Amendment, shall remain in full force and effect.

The Parties do hereby agree to all the terms and conditions of this Amendment. This Amendment shall be binding upon the parties, their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Parties do hereby execute this Amendment upon completion of signature on:

Vendor Signature Page

City of Lincoln-Lancaster County Public Building Commission Signature Page

Vendor Signature Page

**AMENDMENT TO CONTRACT
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Lincoln Public Schools Contract No. 9120
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Price Increase
Kurita America, Inc.**

Please sign, date and return within 5 days of receipt.

Mail to: City/County Purchasing
Attn: Brianne Crooks
440 So. 8th St., Ste. 200
Lincoln, NE 68508
Or email to: bcrooks@lincoln.ne.gov

| | |
|---|--|
| Company Name: | |
| By: (Please Sign) | |
| By: (Please Print) | |
| Title: | |
| Company Address: | |
| Company Phone & Fax: | |
| E-Mail Address: | |
| Date: | |
| Contact Person for Orders or Service | |
| Contact Phone Number: | |

**City of Lincoln-Lancaster County Public Building Commission
Signature Page**

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EXECUTION BY LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION

ATTEST:

Public Building Commission Attorney

Chairperson, Public Building Commission

dated _____



April 28, 2022

Dear Valued Customer,

As you are aware, there have been significant increases in energy-related costs across the globe. The increase in energy costs impacts many of Kurita America's input costs, most obviously the cost of fuel but also key raw materials derived from petroleum. These cost increases are unprecedented and are above and beyond what was considered in determining our most recent chemical price increase. Therefore, Kurita America is implementing a temporary Energy Surcharge on all chemical orders, including chemical contracts, **effective no later than May 1, 2022.**

The Energy Surcharge will cover the recent escalation of energy-related costs only. The surcharge is temporary and will be discontinued once market conditions return to normal. The surcharge rate will be adjusted quarterly, pending current market conditions, and will be applied to each order and noted on each order confirmation and invoice. Any orders received on May 1st, 2022, will receive the surcharge.

Kurita America is doing everything possible to minimize costs. However, the implementation of this temporary Energy Surcharge is necessary to maintain a high level of service and to continue to deliver unique value to our customers. We will update you as conditions evolve and invite you to contact your sales representative if you have any questions.

In the meantime, please see the attached FAQ document to address any immediate questions you may have.

Thank you for your business and continued support.

Sincerely,

A handwritten signature in black ink, appearing to read "LaMarr Barnes".

LaMarr Barnes
Chief Executive Officer



Kurita America Energy Surcharge Customer FAQ

Q. Why are we applying an Energy Surcharge?

A. Due to dramatic increases in energy costs, we must implement a temporary Energy Surcharge.

Q. When and how will we be informed of the Energy Surcharge?

A. The Energy Surcharge rate for a specific order will be displayed on the order confirmation and invoice.

Q. When and how will I be informed of changes to the Energy Surcharge rate?

A. The Energy Surcharge rate will be calculated quarterly. If the rate changes, then it will be displayed on the order confirmation and invoice.

Q. How will this surcharge work on my invoice?

A. It will appear as a line item called "Energy Surcharge." The percentage will be included in the line item along with the calculated amount.

Q. What if my order is delayed and is invoiced at a different price than my P.O.? Will Kurita America allow short pay on the invoice?

A. We expect this surcharge to be temporary. However, if you have issues with your invoice, then please contact your sales rep or the Accounts Receivable Department at KAI_accountsreceivable@kurita-water.com

Q. When will this begin?

A. Effective **May 1st, 2022**, Kurita America is implementing an Energy Surcharge to any order for chemicals. The surcharge rate will be determined quarterly and applied to each order and noted on your order confirmation and invoice.

Q. Who do I contact about the Energy Surcharge?

A. Please contact your local sales representative. If you require an urgent response, then please contact customer service at 866-663-7632, and they can assist with directing your question to the appropriate person.