

TERM CONTRACTS

- 21. Approve Amendment #4 to IFB-3072-03/JVP – Term Contract for Sodium Hypochlorite, with Harcross Chemicals, Inc., Tampa (Price Increase) (Term Contract).**

IFB-3072-03/JVP provides for Sodium Hypochlorite for the Seminole County Environmental Services/Water & Sewer Division. Amendment #4 will provide for a price increase due to Manufacturer's increase. The price per gallon through this Amendment will be \$0.574 per gallon. Research was conducted and it was determined that the proposed price is in accordance with current market costs and the cost offered through competitive process to other governmental entities. The comparison is included in the backup documents.

Environmental Services Department/Water and Sewer Division and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve the amendment and authorize the Purchasing and Contracts Manager to execute the amendment.

Harcros Chemicals, Inc.

5132 TRINITY STREET

TAMPA, FL 33613

TEL: 813-967-4331

FAX: 813-967-3977



May 12, 2006

Robert T. Bradley
Procurement Technician
Seminole County
Purchasing and Contracts Division
1101 East First Street
Sanford, FL 32771

Re: Renewal #1 for IFB-3072-05/JVP Term Contract for Sodium Hypochlorite Purchase Agreement

Dear Mr. Bradley:

Recognizing unprecedented price increases for the raw materials, delivery and fuel costs, we are forced to make the following changes to continue to keep us a viable supplier to Seminole County.

Over the last year, we have kept Seminole County's price for Sodium Hypochlorite well below the industries average.

Our current vendor, Olin Corporation, is pressuring us to get you closer to the current market conditions.

As a result, we must increase your price for the next term to \$.574 gallon. As you can see from the enclosed bid tab sheet, you still will be below the present market price, as we have kept you for the full term of this contract.

Should you agree to the new pricing, we would be happy to extend the contract for one additional year from July 31, 2006 through July 31, 2007.

Thank you for your continued partnership and I look forward to hearing from you soon.

Sincerely,

Thomas Hillyer
District Manager

Sue Ernest
Account Manager



490 Stuart Road, NE, Cleveland, Tennessee 37312
Phone: 423/336-4850 • Fax: 423/336-4830
Internet Address: www.olinchloralkali.com

May 22, 2006

Mr. Tom Hillyer
Harcros Chemicals
5132 Trenton Street
Tampa, FL 33619

Dear Tom,

This is to confirm our discussions regarding the increases in Olin costs to serve Seminole County. Increases over the last year have included rail freight to Tampa, increased fuel surcharges on top of basic freight rate increases, and higher electricity costs to produce chlorine and caustic soda. Therefore, in order to continue to support Harcros for Seminole County, we will require a minimum of \$0.04/gal increase that will be reflected in our prices to you. Olin thanks you for your efforts and continued support.

Sincerely,

Tom Rice

Tom Rice
Corporate Accounts

PINELLAS COUNTY GOVERNMENT, FLORIDA

Cost Proposal Tabulation

055-0379-B (DN)

Sodium Hypochlorite - Liquid (12.2 Trade Percent)

Date & Time Due: April 18, 2006

Description	Estimated Annual Quantity	Odyssey Manufacturing Company			Allied Universal Corp.			Harcros Chemicals Inc.	
		Unit of Measure	Unit Price	Extended Price	Unit of Measure	Unit Price	Extended Price	Non-Responsive	
Bulk Deliveries:									
Tanker Loads of 4,500 gallons	1,181,500	gallon	\$ 0.79000	\$ 933,385.00	gallon	\$ 0.56200	\$ 667,633.00		<i>.87 gal</i>
Less than Tanker Loads									
Minimum Delivery of 500 gallons	52,000	gallon	\$ 1.05000	\$ 54,600.00	gallon	\$ 0.84000	\$ 43,680.00		<i>Too Many Restrictions</i>
Grand Total				\$ 987,985.00	Grand Total				\$ 731,313.00

**Term Contract for Sodium Hypochlorite
IFB-3072-03/JVP**

Original Cost July 31, 2003	Increase in Amendment #1 February 17, 2005	Increase in Amendment #2 April 12, 2005	Increase in Amendment #3 September 13, 2005	Proposed Increase for Amendment #4 June 27, 2006
\$0.3960	\$0.4590	\$0.5090	\$0.5340	\$0.5740

* Please note that the proposed amount for Amendment #4 for IFB-3072-03/JVP has an increase of 5.34% per gallon for the purchase of the sodium hypochlorite.

**FOURTH AMENDMENT TO SODIUM HYPOCHLORITE PURCHASE AGREEMENT
(IFB-3072-03/JVP)**

THIS FOURTH AMENDMENT is made and entered into this _____ day of _____, 20____ and is to that certain Agreement made and entered into on the 31st day of July, 2003, as amended on February 17, 2005, April 12, 2005, and on September 15, 2005, between **HARCROS CHEMICALS, INC.** whose address is 5132 Trenton Street, Tampa, Florida 33619, hereinafter referred to as "CONTRACTOR," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the CONTRACTOR and COUNTY entered into the above-referenced Agreement on July 31, 2003, as amended on February 17, 2005, April 12, 2005, and on September 15, 2005, for purchase of sodium hypochlorite; and

WHEREAS, the parties desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits it provides; and

WHEREAS, Section 21 of the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

NOW, THEREFORE, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. Exhibit "A" of the Agreement is amended by increasing the price of sodium hypochlorite to \$.5740 per gallon, effective June 27, 2006.

2. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

3. The County Manager is hereby authorized to execute this Agreement on behalf of the COUNTY.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed.

ATTEST:

HARCROS CHEMICALS, INC.

ROBERT W. CHANEY
Vice President and
Assistant Secretary

By: _____
J.F. O'NEILL
Vice-President and
Assistant Secretary

(CORPORATE SEAL)

Date: _____

SEMINOLE COUNTY, FLORIDA

Witness

By: _____
CYNTHIA A. COTO, County Manager

Print Name

Date: _____

Witness

Within authority of Resolution
No. 93-R-71 adopted February 23,
1993.

Print Name

For the use and reliance
of Seminole County only.

Approved as to form and
legal sufficiency.

County Attorney
AC/lpk
5/31/06
ifb-3072 4am