

Amendment No. 2 to PO-10700-00015852

This is Amendment No. 2 to PO-10700-00015852, dated February 7, 2023, as amended from time to time ("Master Agreement") between the State of Oregon, acting by and through the Department of Administrative Services, Enterprise Goods and Services, Procurement Services ("DAS PS"), as the Lead State, on behalf of the member states of the NASPO ValuePoint Cooperative Purchasing Program and other Participating Entities and Northwest Playground Equipment, Inc. ("Contractor"). This Amendment is effective on the date signed by all parties and upon receipt of all approvals necessary for signing ("Amendment Effective Date").

RECITALS

The purpose of this Amendment is:

1. Modification of Section 3 Term of Master Agreement.
2. Modification to Exhibit 3 Description of Goods and/or Services and Discount Percentages

The Master Agreement is amended as follows:

1. Section 3 Term of Master Agreement is amended as follows (new language is indicated by **underlining and bold** and deleted language is indicated by ~~striketrough~~):

3. Term of the Master Agreement

This Master Agreement becomes effective upon signature by all the parties ("Effective Date"). The initial term of this Master Agreement ends ~~December 31, 2023 ("Initial Term")~~ **December 31, 2024**. This Master Agreement may be extended beyond the Initial Term for additional terms, at the Lead State's discretion and by mutual agreement and upon review of requirements of Participating Entities, current market conditions, and Contractor performance, provided however the term may not be extended more than 4 years beyond the end date of the Initial Term.

2. Exhibit 3 Description of Goods and/or Services and Discount percentages, sub section 1.2 Percentage off per Category Awarded; of the Master Agreement; is amended as follows (new language is indicated by **underlining and bold** and deleted language is indicated by ~~striketrough~~):

1.2 PERCENTAGE OFF PER CATEGORY AWARDED

<u>Category:</u>	<u>Percentage off all items in Category:</u>
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Indoor & Outdoor Fitness Equipment:	10%
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Outdoor Furniture:	5%
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Park Site Furnishings:	10%
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Safety Surfacing:	6%
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Track and Field:	6%
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Shelters and Shades:	5%
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<u>Electronic Play:</u>	<u>5%</u>
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Except as expressly amended above, all other terms and conditions of the Master Agreement are still in full force and effect. Contractor certifies that the representations, warranties and certifications contained in the Master Agreement are true and correct as of the Amendment Effective Date and with the same effect as though made at the time of this Amendment.

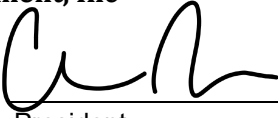
Certification:

Any individual signing on behalf of Contractor has the authority and knowledge to make the following certifications, and hereby certifies under penalty of perjury:

- a. the number set forth in the contract is Contractor correct taxpayer identification number;
- b. Contractor is not subject to backup withholding because:
 - i. Contractor is exempt from backup withholding;

- ii. Contractor has not been notified by the IRS that Contractor is subject to backup withholding as a result of a failure to report all interest or dividends; or
- iii. the IRS has notified Contractor that Contractor is no longer subject to backup withholding.
- c. in the event that Contractor is a general partnership or joint venture, that Contractor signature(s) on this Amendment constitute certifications to the above statements pertaining to the partnership or joint venture, as well as certifications of the above statements as to any general partner or joint venturer signing this Amendment.
- d.

**CONTRACTOR, Northwest Playground
Equipment, Inc**

By: 
Title: President
Date: 11/9/23
FEID # 91-1719261

**STATE OF OREGON, acting by and through its
Department of Administrative Services,
Procurement Services**

By:  John Anglemier
Title: State Procurement Manager
Date: 11/9/2023

Approved pursuant to ORS 291.047

By: N/A
SR. Assistant Attorney General

Date: N/A
Matter number: GF-1365-21