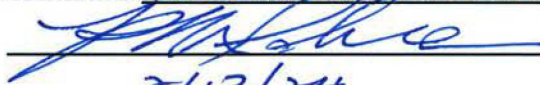


**BAY AREA CHEMICAL CONSORTIUM
STANDARD AGREEMENT, PAGE 1 OF 2
BID NO. 13-2024
SUPPLY AND DELIVERY OF SODIUM HYPOCHLORITE 12.5%**

I hereby agree to furnish SODIUM HYPOCHLORITE 12.5% identified in the attached bid forms, as solicited by the Bay Area Chemical Consortium (BACC), to one or more of the participating BACC Agencies.

Company: Pioneer Americas LLC is a wholly subsidiary of Olin Corporation
Address: 490 Stuart Road, NE
City, State, ZIP: Cleveland, TN 37312
Phone: (423) 336-4421
Email: OWCMarketing_BidTeam@olin.com
Authorized Representative: Patrick M. Schumacher, VP and President Chlor Alkali Products
Signature: 
Date: 2/13/24

WE ACKNOWLEDGE RECEIVING ADDENDUM/ADDENDA NUMBER _____ THROUGH _____.

SPECIFIC DEVIATIONS:

This box must be checked if bidder has any proposed specific deviations. Per Section 2.12 Proposed Deviations from the Specifications by the Bidder, the absence of a proposed change in the specifications will hold the bidder strictly accountable to the specifications as described in the bid document, including any addendum.

Describe the specific deviations below. A copy of the proposed specifications must be attached to this Standard Agreement at the time of submission, with bidder's name clearly shown on each document.

See Attached for Specific Deviations

2024 BACC Chemical Bid Specific Deviation

BACC Bid 13-2024 – Sodium Hypochlorite

Olin is the largest producer/supplier of bulk sodium hypochlorite to municipal water treatment in North America and the state of California. We have successfully serviced the requirements of most of the BACC membership at one time or another in recent years. Olin looks forward to negotiating with individual BACC members to develop mutually agreeable terms and conditions for sale of sodium hypochlorite. We are committed to try to comply with the inclusive intent of this bid and shall continue to make all good faith efforts to mutually work individually with members of the BACC on servicing their unique requirements if recommended for award of their business. Since there are some individual requirements that are undisclosed or we may be unfamiliar with, if recommended for bid award, we will need to review and assess these case by case with individual members as advised in the bid. These may possibly include such things as follow:

- Unattended deliveries at unmanned sites to be deemed safe and mutually agreed upon case by case.
- Delivery requirements at new or unfamiliar remote sites requiring specialized metering or non-standard bulk delivery equipment requirements to be assessed and agreed upon case by case. Some member sites may not be serviceable by Olin after sites are reviewed and Olin reserves the right to make that determination.
- Product samples, when required for shipments, would need to be mutually agreed upon so as to provide a safe and secure process for samples to be supplied to protect drivers, site attendants and the environment.
- New delivery sites must successfully complete and meet Olin's minimum safety and security requirements site questionnaire prior to first scheduled deliveries.

In addition, we would request consideration of the following issues:

- We would like to see the product specifications consistently align with meeting limits in current published NSF STD 60 and AWWA B-300-18 standards for 12.5 weight % sodium hypochlorite (including: pH of 12-14 to better align with free alkaline limits as noted in the bid; 12.5% AvCl minimum be revised to 11.9% AvCl (which equates to 12.5% NaOCl wt%); AvCl in gpl be removed or revised to match desired AvCl wt% and NaOCl wt%). Product is produced in a continuous manufacturing process to these quality certifications and making product to individual specifications by individual customer is not reasonably possible for standard operations. Our product specification and ISO lab analysis is included in the bid.
- We would request "insoluble matter" be removed from individual COA's reporting as this component is already managed through the "Filtration Limitations" testing noted on page 22. It cannot be analyzed and reported on the COA for every individual load without interrupting

processes and timely delivery of orders. We have SPC data on regular sampling available upon request.

- Acceptance of orders delivered with a min. 72 hours ARO as a standard and 24 hours in emergencies.
- Acceptance of Olin corporate insurance coverages.

Note: Olin Pollution coverage is Time Element Sudden and Accidental coverage and would apply to all awarded BACC members.

- We request the right by written notice to review and recover increases in the cost of products to Seller due to significant unanticipated increases in prevailing market energy costs effecting the costs of raw materials or finished product. Seller to provide reasonable explanations and independent public documentation for any requested price adjustments.
- **Full Truck-load Bulk Shipments** – Bid pricing submitted is for bulk full truck-load, one-stop deliveries. Due to significant cost increases in transportation and fuel costs, additional adjustments for carrier charges for less than truck-load or split shipments may apply individually case by case as follows:
 - **Less than full truck-load shipments** – Short shipments < 2,000 gals. may incur a \$500 freight adder per shipment to the bulk delivered unit price upon invoice.
 - **Mini-bulk Shipments** – Shipments <1,500 gals. may incur a \$800 freight adder per shipment to the delivered unit price upon invoice.

- Shipments of < 700 gals. may not physically be safely serviceable by Olin's standard bulk tanker equipment. We can review any case by case. Olin reserves rights for final approval of very small aquatic and remote rural sites like Pt Reyes Station, Oakwood Lake Water well sites , City of Morgan Hill well sites, City of Stockton well sites, City of Turlock well sites, Roseville well sites, City of Morgan Hill well sites, DVC power plant, Contra Costa Water District pump stations, Diablo Water District, Pleasant Hill Aquatic, Yuba City swimming pool, Town of Discovery Bay and Dublin San Ramon Services District Reservoir 1A, 10A and 300B pumpstations. These type deliveries typically require specialized delivery equipment and we cannot safely service and meet min. Olin site safety requirements. If, at Olin's sole discretion, it's determined they can be safely serviceable with standard bulk delivery equipment, there will be a \$2,200/shipment freight surcharge plus stop charges added to base unit pricing per shipment for these specific requirements to cover the high-cost labor-intensive service required.
- Split shipments involving more than one unloading stop per individual shipment may incur multi-stop carrier charges of \$75/unloading stop after one free unloading stop per shipment.

STANDARD AGREEMENT, PAGE 2 OF 2

BIDDER INFORMATION

1. Legal Name of Bidder:
Pioneer Americas LLC is a wholly subsidiary of Olin Corporation

2. Bidder's Street Address:
490 Stuart Road, NE, Cleveland, TN 37312

3. Mailing Address:
490 Stuart Road, NE, Cleveland, TN 37312

4. Business Telephone: (423) 336-4421 Fax Number: (423) 336-4682

5. Type of Supplier:
 Sole Proprietor Partnership Corporation LLC
If Corporation, indicate State where incorporated: Virginia

6. Business License Number issued by the City where the Supplier's principal place of business is located.
Number: 12082L Issuing City: Pittsburg, CA

7. Supplier Federal Tax Identification Number: 06-1420850

8. Emergency Contact: Name: Chemtrec
 Phone Number: 800-424-9300

9. Order Contact: Name: Olin Customer Service
 Address: 16290 Katy Freeway, Ste 600, Houston, TX 77094
 Phone Number: 833-370-3737 Fax Number: 866-449-8036
 Email: CAPVCustomerSvcWest@olin.com

10. References:

<u>Company/Agency Name</u>	<u>Contact Name</u>	<u>Phone Number</u>
1) <u>City of Roseville</u>	<u>Becky Philipp, Purchasing</u>	<u>(916) 746-1110</u>
2) <u>City of Santa Rosa</u>	<u>Jennifer Myles, Sr. Buyer</u>	<u>(707) 543-3709</u>
3) <u>Modesto Irrigation District</u>	<u>Daryn Weese, Buyer</u>	<u>(209) 526-7685</u>

11. Chemical Manufacturer's name and address (if different from Bidder):
K2 Pure Solutions
950 Loveridge Road
Pittsburg, CA 94565