



## Indefinite Delivery-Indefinite Quantity Construction Contract

Contract Number: **CA-R3-GB01-123021-TSW**

This Indefinite Delivery-Indefinite Quantity Construction Contract (Contract) is between **Sourcewell**, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 and **T&S Intermodal Maintenance, Inc. DBA T&S West**, PO BOX 1592, Linden, CA 95236 (Contractor).

Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to federal, state and municipal governmental entities, K-12 and higher education entities, nonprofit entities, tribal governments, and other public entities located within the United States.

The Contractor desires to contract with Sourcewell to provide construction services to entities that access Sourcewell's indefinite delivery-indefinite quantity (IDIQ) construction contracts within the Region.

### I. TERM OF CONTRACT

A. **EFFECTIVE DATE**. This Contract, including the General Terms and Conditions incorporated by reference, is effective upon the later of February 1, 2022 or the date of the final signature below.

B. **EXPIRATION DATE AND EXTENSION**. This Contract expires **January 31, 2023**, unless it is terminated sooner pursuant to Article XX of the General Terms and Conditions, which are incorporated into this Contract by reference. This Contract may be extended up to three additional one-year periods upon request of Sourcewell and with written agreement by the Contractor, not to exceed a total of four years.

### II. REGION

The Contractor's Region is as follows: Region 3.

### III. ADJUSTMENT FACTORS

The Contractor will perform any or all Tasks in the Construction Task Catalog for the Unit Price appearing therein multiplied by the following Adjustment Factors. See the General Terms and Conditions for additional information.

A. **Normal Working Hours - Prevailing Wage Rate Projects**: Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.2600.

B. **Other Than Normal Working Hours - Prevailing Wage Rate Projects**: Work performed from 4:00 p.m. to 7:00 a.m. Monday to Friday, and any time Saturday, Sunday and Holidays. The Contractor will

perform Tasks during Other Than Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.2900.

C. **Secured/Medical Facilities - Prevailing Wage Rate Projects:** Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.3100.

D. **All-Union Wage Projects:** Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.2600.

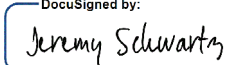
E. **Non pre-priced Adjustment Factor:** To be applied to Work determined not to be included in the CTC but within the general scope of the work: 1.2600.

## VI. AUTHORIZED REPRESENTATIVE

A. Sourcewell's Authorized Representative is its Chief Procurement Officer.

B. The Contractor's Authorized Representative is Sammy Cox. If the Contractor's Authorized Representative changes at any time during this Contract, Contractor must promptly notify Sourcewell in writing.

Sourcewell

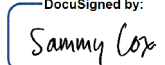
DocuSigned by:  
  
By: C0FD2A139D06489...

Jeremy Schwartz, CSSBB, CPPO

Title: Chief Procurement Officer

Date: 2/1/2022 | 10:29 PM CST

T&S Intermodal Maintenance, Inc. DBA T&S West

DocuSigned by:  
  
By: FE1BC3FDC4754A2...

Sammy Cox

Title: President

Date: 2/1/2022 | 10:01 AM CST

## AGREEMENT TO MODIFY AND EXTEND SOURCEWELL CONTRACT #CA-R3-GB01-123021-TSW

THIS AGREEMENT TO MODIFY AND EXTEND, Sourcewell Contract #CA-R3-GB01-123021-TSW, is effective upon the date of the last signature below.

Sourcewell and T&S Intermodal Maintenance, Inc. DBA T&S West ("Contractor") have entered into an Indefinite Quantity Construction Contract, Contract Number **CA-R3-GB01-123021-TSW**, with an initial term ending January 31, 2023, and three bilateral options to extend for an additional one-year term ("Contract"). The parties agree that the Contractor's Adjustment Factors will be modified, and that Sourcewell's offer of a one-year extension term will be accepted by Contractor.

### MODIFICATION: OPTION PERIOD

Pursuant to the Contract, the following are the Adjustment Factors for the term ending January 31, 2024:

<b><u>Base Year Index</u></b>		
	Date	Index
1	December 2020	11625.95
2	January 2021	11627.94
3	February 2021	11698.79
4	March 2021	11749.75
5	April 2021	11849.32
6	May 2021	11989.91
7	June 2021	12112.05
8	July 2021	12237.69
9	August 2021	12463.13
10	September 2021	12464.55
11	October 2021	12464.94
12	November 2021	12467.32

**Base Year Average 12062.6116**

<b><u>First Year Index</u></b>		
	Date	Index
1	December 2021	12481.82
2	January 2022	12555.55
3	February 2022	12683.97
4	March 2022	12791.43
5	April 2022	12898.96
6	May 2022	13004.47
7	June 2022	13110.50
8	July 2022	13167.84
9	August 2022	13171.07
10	September 2022	13173.43
11	October 2022	13174.92
12	November 2022	13174.98

**First Year Average 12830.9416**

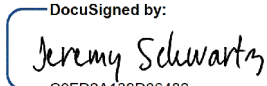
$$\text{Adjustment: } \frac{\text{First Year Index Average}}{\text{Base Year Index Average}} = \frac{12949.0783}{12062.6116} = 1.0735$$

CA-R3-GB01-123021-TSW	Original Adjustment Factor	x	Adjustment	=	Adjustment Factor 02/01/23 through 01/31/24
Normal Working Hours – Prevailing Wage	1.2600		1.0735		1.3526
Other Than Normal Working Hours – Prevailing Wage	1.2900		1.0735		1.3848
Secured/Medical Facilities – Prevailing Wage Rate	1.3100		1.0735		1.4063
All-Union Wage	1.2600		1.0735		1.3526
Non Pre-Priced	1.2600		1.0000		1.2600

EXERCISE OF OPTION: EXTENSION

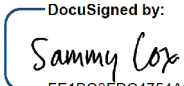
Contractor and Sourcewell hereby desire and agree to extend the Contract, with the above modification, for the period February 1, 2023 through January 31, 2024.

Sourcewell

DocuSigned by:  
  
 C0FD2A139D06489...  
 By: \_\_\_\_\_  
 Jeremy Schwartz  
 Title: Chief Procurement Officer

Date: 1/31/2023 | 3:43 PM CST

T&S Intermodal Maintenance, Inc. DBA T&S West

DocuSigned by:  
  
 FE1BC3FDC4754A2...  
 By: \_\_\_\_\_  
 Sammy Cox  
 Title: President

Date: 1/31/2023 | 1:15 PM CST

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### MODIFICATION: OPTION PERIOD

Pursuant to the Contract, the following are the Adjustment Factors for the term ending January 31, 2025:

<u>Base Year Index</u>			<u>Second Year Index</u>		
Date		Index	Date		Index
1	December 2020	11625.95	1	December 2022	13160.29
2	January 2021	11627.94	2	January 2023	13175.03
3	February 2021	11698.79	3	February 2023	13175.93
4	March 2021	11749.75	4	March 2023	13176.30
5	April 2021	11849.32	5	April 2023	13229.57
6	May 2021	11989.91	6	May 2023	13288.27
7	June 2021	12112.05	7	June 2023	13345.00
8	July 2021	12237.69	8	July 2023	13424.98
9	August 2021	12463.13	9	August 2023	13472.56
10	September 2021	12464.55	10	September 2023	13485.67
11	October 2021	12464.94	11	October 2023	13497.97
12	November 2021	12467.32	12	November 2023	13510.57
<b>Base Year Average</b>		<b>12062.6116</b>	<b>Second Year Average</b>		<b>13328.5116</b>

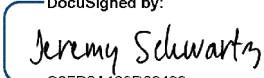
$$\text{Adjustment:} \quad \frac{\text{Second Year Index Average}}{\text{Base Year Index Average}} = \frac{13328.5116}{12062.6116} = 1.1049$$

CA-R3-GB01-123021-TSW	Original Adjustment Factor	x	Adjustment	=	Adjustment Factor 02/01/24 through 01/31/25
Normal Working Hours – Prevailing Wage	1.2600		1.1049		1.3922
Other Than Normal Working Hours – Prevailing Wage	1.2900		1.1049		1.4253
Secured/Medical Facilities – Prevailing Wage Rate	1.3100		1.1049		1.4474
All-Union Wage	1.2600		1.1049		1.3922
Non Pre-Priced	1.2600		1.0000		1.2600

EXERCISE OF OPTION: EXTENSION

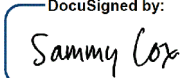
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Sourcewell

DocuSigned by:  
  
C0FD2A139D06489...  
By: \_\_\_\_\_  
Jeremy Schwartz  
Title: Chief Procurement Officer

Date: 1/22/2024 | 3:28 PM CST

T&S Intermodal Maintenance, Inc. DBA T&S West

DocuSigned by:  
  
FE1BC3FDC4754A2...  
By: \_\_\_\_\_  
Sammy Cox  
Title: President

Date: 1/22/2024 | 3:09 PM CST



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C. **Secured/Medical Facilities - Prevailing Wage Rate Projects:** Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.3100.

D. **All-Union Wage Projects:** Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.2600.

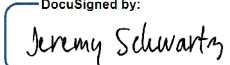
E. **Non pre-priced Adjustment Factor:** To be applied to Work determined not to be included in the CTC but within the general scope of the work: 1.2600.

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B. The Contractor's Authorized Representative is Sammy Cox. If the Contractor's Authorized Representative changes at any time during this Contract, Contractor must promptly notify Sourcewell in writing.

Sourcewell

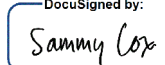
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By: \_\_\_\_\_  
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Jeremy Schwartz, CSSBB, CPPO

Title: Chief Procurement Officer

Date: 2/1/2022 | 10:29 PM CST

T&S Intermodal Maintenance, Inc. DBA T&S West

DocuSigned by:  
  
By: \_\_\_\_\_  
FE1BC3FDC4754A2...

Sammy Cox

Title: President

Date: 2/1/2022 | 10:01 AM CST



# **AGREEMENT TO MODIFY AND EXTEND SOURCEWELL CONTRACT #CA-R3-GB01-123021-TSW**

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## MODIFICATION: OPTION PERIOD

Pursuant to the Contract, the following are the Adjustment Factors for the term ending January 31, 2026:

<u>Base Year Index</u>	
Date	Index
1 December 2020	11625.95
2 January 2021	11627.94
3 February 2021	11698.79
4 March 2021	11749.75
5 April 2021	11849.32
6 May 2021	11989.91
7 June 2021	12112.05
8 July 2021	12237.69
9 August 2021	12463.13
10 September 2021	12464.55
11 October 2021	12464.94
12 November 2021	12467.32

**Base Year Average 12062.6116**

<u>Third Year Index</u>	
Date	Index
1 December 2023	13514.76
2 January 2024	13515.02
3 February 2024	13518.12
4 March 2024	13532.01
5 April 2024	13532.08
6 May 2024	13532.44
7 June 2024	13546.80
8 July 2024	13556.09
9 August 2024	13593.65
10 September 2024	13632.23
11 October 2024	13632.34
12 November 2024	13632.39

**Third Year Average 13561.4941**

Adjustment: 
$$\frac{\text{Third Year Index Average}}{\text{Base Year Index Average}} = \frac{13561.4941}{12062.6116} = 1.1243$$

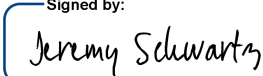
CA-R3-GB01-123021-TSW	Original Adjustment Factor	x	Adjustment	=	Adjustment Factor 02/01/25 through 01/31/26
Normal Working Hours – Prevailing Wage	1.2600		1.1243		1.4166
Other Than Normal Working Hours – Prevailing Wage	1.2900		1.1243		1.4503
Secured/Medical Facilities – Prevailing Wage Rate	1.3100		1.1243		1.4728
All-Union Wage	1.2600		1.1243		1.4166
Non Pre-Priced	1.2600		1.0000		1.2600

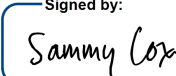
EXERCISE OF OPTION: EXTENSION

Contractor and Sourcewell hereby desire and agree to extend the Contract, with the above modification, for the period February 1, 2025 through January 31, 2026.

Sourcewell

T&S Intermodal Maintenance, Inc. DBA T&S West

Signed by:  
  
By: C0FD2A139D06489...  
Jeremy Schwartz  
Title: Chief Procurement Officer  
Date: 1/9/2025 | 5:36 AM CST

Signed by:  
  
By: FE1BC3FDC4754A2...  
Sammy Cox  
Title: President  
Date: 1/8/2025 | 6:16 PM CST