



# Price Agreement Amendment

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
 CAPITOL HILL  
 PROVIDENCE RI 02908

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 CYN OIL CORPORATION  
 1478 ATWOOD AVE  
 STE 102  
 JOHNSTON RI 02919

**STORAGE TANK/ASSESSMENT/REPORT**  
 Amendment Date: 09/24/2004  
 Original Award Date: 09/02/2003  
 Buyer: VIEIRA, STEPHEN A  
 Phone #: (401) 222 - 2142 ext. 120  
 FOB: F.O.B., Destination  
 Terms: Net 30

Change Order Number  
**1**  
 Award Number  
**68M00244947A**  
 Effective Period:  
 06/01/2002 - 05/31/2005

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 ADMINISTRATION  
 MASTER PRICE AGREEMENT  
 RELEASE AGAINST RI MPA

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 MASTER PRICE AGREEMENT  
 RELEASE AGAINST RI MPA

Change Order Note: CHANGE ORDER #1

Department				Bid Number	C/O Req #
ADMINISTRATION				MPA-23	B01002
Item	Class-Item	Bid #	Requisition #	Unit	Unit Price
	CHANGE ORDER #1 CHANGE TO PO #68M00244947A DATED 9/2/03. THE EFFECTIVE PERIOD HAS BEEN EXTENDED TO 5/31/05.				

This Notice of Award/Purchase Order is issued in accordance with the specific requirements described herein and the State's Purchasing Regulations and General Conditions of Purchase, copies of which are available at [www.purchasing.state.ri.us](http://www.purchasing.state.ri.us).

Delivery of goods or services as described herein shall be deemed acceptance of these requirements.

STATE PURCHASING AGENT/DESIGNEE	
ACCOUNTING	DATE RELEASED



# Notice of Price Agreement Award

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 CAPITOL HILL  
 PROVIDENCE RI 02908

<b>V E N D O R</b>	CYN OIL CORPORATION 1478 ATWOOD AVE STE 102 JOHNSTON RI 02919
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<b>STORAGE TANK/ASSESSMENT/REPORT</b>	
Award Number	Effective Period:
<b>68M00244947A</b>	<b>6/1/02 - 5/31/04</b>

<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Date: 09/02/2003 Buyer: STEPHEN VIEIRA Shipping: F.O.B., Destination Terms: Net 30
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<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA
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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-23	B01002
Item		Unit	Unit Price
	6/1/02 - 5/31/04  MASTER PRICE AGREEMENT #23  THIS IS A NOTICE OF AWARD, NOT AN ORDER. Any quantity reference in the agreement or in the bid preceding it are estimates only and do not represent a commitment on the part of the state to any level of billing activity, other than for quantities or volumes specifically released during the term. No action is to be taken except as specifically authorized, as described herein under AUTHORIZATION AND RELEASE.  ENTIRE AGREEMENT - This NOTICE OF AWARD, with all attachments, and any release(s) against it shall be subject to: (1) the specifications, terms and conditions set forth in the Request/Bid Number cited herein, (2) the General Terms and Conditions of Contracts for the State of Rhode Island and (3) all provisions of, and the Rules and Regulations promulgated pursuant to, Title 37, Chapter 2 of the General Laws of the State of Rhode Island. This NOTICE shall constitute the entire agreement between the State of Rhode Island and the Vendor. No assignment of rights or responsibility will be permitted except with the express written permission of the State Purchasing Agent or his designee.  CANCELLATION, TERMINATION and EXTENSION - This Price Agreement shall automatically terminate as of the date(s) described under CONTRACT PERIOD unless this Price Agreement is altered by formal amendment by the State Purchasing Agent or his designee upon mutual agreement between the State and the Vendor.  AUTHORIZATION AND RELEASE. In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.  A Direct Purchase Order (DPO) shall be created by the agency listing the items ordered, using the pricing and format set forth in the Master Blanket. All pricing shall be as described in the Master Blanket and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected in Master Blanket.		

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COPY

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Department		Bid Number	Requisition Number
ADMINISTRATION		B01002	
MPA-23			
Item		Unit	Unit Price
	<p>THIS IS A MULTI-YEAR BID/CONTRACT. PER RHODE ISLAND STATE LAW 37-2-33, CONTRACT OBLIGATIONS BEYOND FISCAL YEAR 2002 ARE SUBJECT TO AVAILABILITY OF FUNDS. CONTINUATION OF THE CONTRACT BEYOND THE INITIAL FISCAL YEAR WILL BE AT THE DISCRETION OF THE STATE. TERMINATION MAY BE EFFECTED BY THE STATE BASED UPON DETERMINING FACTORS SUCH AS UNSATISFACTORY PERFORMANCE OR THE DETERMINATION BY THE STATE TO DISCONTINUE THE GOODS/SERVICES, OR TO REVISE THE SCOPE AND NEED FOR THE TYPE OF GOODS/SERVICES; ALSO MANAGEMENT OWNER DETERMINATIONS THAT MAY PRECLUDE THE NEED FOR GOODS/SERVICES.</p> <p>EVERY PERSON OR BUSINESS ENTITY PROVIDING GOODS OR SERVICES AT A COST OF \$5000 CUMULATED VALUE IS REQUIRED TO FILE AN AFFIDAVIT REGARDING POLITICAL CAMPAIGN CONTRIBUTIONS WITH THE RI STATE BOARD OF ELECTIONS EVEN IF NO REPORTABLE CAMPAIGN CONTRIBUTIONS HAVE BEEN MADE. (RI GENERAL LAW 17-27) FORMS OBTAINED AT BOARD OF ELECTIONS, CAMPAIGN FINANCE DIVISION, 50 BRANCH AVENUE, PROVIDENCE, RI 02904 (401-222-2056).</p> <p>STATEWIDE APPLICABILITY - Political Subdivisions (cities, towns, schools, quasi-public agencies), as authorized by law, may participate in this Agreement. All ordering and billing shall be between the vendor and the political subdivision (only).</p> <p>THIS PURCHASE ORDER IS AWARDED SUBJECT TO EQUAL OPPORTUNITY COMPLIANCE.</p> <p>REPORTS - The Vendor agrees to provide the State with quarterly reports describing activity against this Price Agreement. If this is a Master Price Agreement, such reports shall include usage by municipalities, quasi-public agencies, schools, etc. All reports shall contain the following data: (1) Billing volume in dollars and (2) quantity shipped for each line item in the price agreement. When there are no line items in the price agreement, vendor shall report volume by catalog order numbers, with a brief description of each order number.</p>		

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# Notice of Price Agreement Award

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CAPITOL HILL  
PROVIDENCE RI 02908

<b>V E N D O R</b>	CYN OIL CORPORATION 1478 ATWOOD AVE STE 102 JOHNSTON RI 02919	<b>STORAGE TANK/ASSESSMENT/REPORT</b>
		Award Number: <b>68M00244947A</b> Effective Period: <b>6/1/02 - 5/31/04</b>

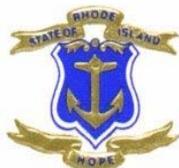
<b>S H I P T O</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA	Date: 09/02/2003 Buyer: STEPHEN VIEIRA Shipping: F.O.B., Destination Terms: Net 30	<b>I N V O I C E</b>	ADMINISTRATION MASTER PRICE AGREEMENT RELEASE AGAINST RI MPA

Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-23	B01002
Item		Unit	Unit Price
	<p>Reports must be submitted to the RI Division of Purchases to the attention BUYER named in this notice, identifying the Agreement number and the Reporting Period. Quarterly reports shall be due 45 calendar days after the end of each quarter. Failure to submit required reports shall be considered a breach of the contractor's obligations and may be considered, at the discretion of the State Purchasing Agent, sufficient cause for the termination of the agreement and other outstanding agreements and orders, and possible suspension from participation in additional State procurements.</p> <p>SITE INVESTIGATION REPORT:</p>		
1.0	REVIEW AND COMPILE INFORMATION FROM RIDEM, CLOSURE ASSESSMENT REPORTS, AND THE OWNER/OPERATOR TO DEVELOP A LEAK DETECTION HISTORY. PERSONNEL - P2	HR	42.00
2.0	DEVELOP A BACKGROUND DESCRIPTION OF THE PROPERTY AND ABUTTING SITE WITH REGARD TO LAND USE, USTs, AND APPROPRIATE UTILITY LOCATION WITH DETAILED SURVEYS OF PROPERTY BOUNDARIES AND WELL LOCATIONS. PERSONNEL - P2	HR	42.00
3.0	PERFORM SITE FIELD EVALUATION AND ARRANGE FOR WELL INSTALLATIONS AND SAMPLING OF REQUIRED PARAMETERS. PERSONNEL - P2	HR	42.00
4.0	EVALUATION OF INFORMATION GATHERED AT THE SITE INCLUDING SITE HYDROLOGY AND PREPARATION OF RECOMMENDATIONS TO DEM FOR APPROPRIATE CLEANUP MEASURES. PERSONNEL - P2	HR	42.00
5.0	REPORT PREPARATION AND SUBMITTAL TO DEM ACCORDING TO SECTION 14.09 OF THE UST REGULATIONS. PERSONNEL - P2	HR	42.00
6.0	REVIEW BY P.E. OR P.G. PERSONNEL - P3	HR	42.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		B01002	
MPA-23			
Item		Unit	Unit Price
	NOTE: PERSONNEL SUBSTITUTIONS WILL ONLY BE PERMITTED WITH PRIOR APPROVAL OF THE STATE OF RI ASSIGNED PROJECT MANAGER.		
	UNDERGROUND TANK CLOSURE ASSESSMENT		
7.0	REVIEW AND COMPILE INFORMATION FROM RIDEM AND OWNER/OPERATOR TO DEVELOP A LEAK DETECTION HISTORY. PERSONNEL - P2	HR	42.00
8.0	DEVELOP A BACKGROUND DESCRIPTION OF THE PROPERTY AND ABUTTING SITE WITH REGARD TO LAND USE, UST's AND APPROPRIATE UTILITY LOCATION. PERSONNEL - P2	HR	42.00
9.0	PERFORM SITE FIELD SCREENING DURING UST EXCAVATION FOR VOLATILE ORGANIC COMPOUNDS. DOCUMENT THE CONDITION OF EACH VESSEL WITH PHOTOGRAPHS. PERSONNEL - P2	HR	42.00
10.0	REPORT PREPARATION WITH SITE LOCATION AND SITE SAMPLING DIAGRAM. PERSONNEL - P2	HR	42.00
11.0	REVIEW BY P.E. OR P.G. PERSONNEL - P3	HR	42.00
	NOTE: PERSONNEL SUBSTITUTIONS WILL ONLY BE PERMITTED WITH PRIOR APPROVAL OF THE STATE OF RI ASSIGNED PROJECT MANAGER.		
	AS CONFIRMATORY LABORATORY TESTING WILL BE DEPENDENT UPON NUMBER OF TANKS PRESENT AND MATERIAL STORED, COST FOR THESE ITEMS ARE LISTED BELOW:		
	ANALYTICAL TESTING FEE SCHEDULE (EACH TEST) ANALYSIS		
	PRICE PER EACH TEST		

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-23	B01002
Item		Unit	Unit Price
12.0	VOLATILE ORGANIC COMPOUNDS METHOD 8260 - SOIL	TEST	110.00
13.0	VOLATILE ORGANIC COMPOUNDS METHOD 8260 - GROUNDWATER	TEST	110.00
14.0	TOTAL PETROLEUM HYDRACARBON EPA METHOD 8100 M - SOIL	TEST	75.00
15.0	TOTAL PETROLEUM HYDRACARBON EPA METHOD 8100 M - GROUNDWATER	TEST	75.00
16.0	ASTM D-3328 (FINGERPRINT) - SOIL	TEST	75.00
17.0	ASTM D-3328 (FINGERPRINT) - GROUNDWATER	TEST	75.00
18.0	MONITORING WELL CONSTRUCTION - OVERBURDEN (LESS THAN 100FT) - EACH DRILLED WELL	LFT	30.00
19.0	MONITORING WELL CONSTRUCTION - BEDROCK (LESS THAN 300FT) - EACH DRILLED WELL	LFT	40.00
	RATE SCHEDULE PROFESSIONAL SERVICE		
20.0	SCIENTIST I	HR	38.00

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ADMINISTRATION		MPA-23	B01002
Item		Unit	Unit Price
21.0	SCIENTIST II	HR	42.00
22.0	SCIENTIST III	HR	65.00
23.0	SCIENTIST IV	HR	110.00
24.0	ENGINEER I	HR	38.00
25.0	ENGINEER II	HR	42.00
26.0	ENGINEER III	HR	65.00
27.0	ENGINEER IV	HR	90.00
28.0	PRINCIPAL ENGINEER	HR	110.00
29.0	TECHNICIAN I	HR	30.00
30.0	TECHNICIAN II	HR	32.00

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Department		Bid Number	Requisition Number
ADMINISTRATION		B01002	
MPA-23			
Item		Unit	Unit Price
31.0	TECHNICIAN III	HR	34.00
32.0	TECHNICIAN IV (FOREMAN)	HR	36.00
33.0	ADMINISTRATION* (SEE BELOW)	HR	25.00
<p>OVERTIME RATES OF 1.33 TIMES REGULAR RATE SHALL APPLY TO HOURS IN EXCESS OF EIGHT PER WEEKDAY FOR INDIVIDUAL EMPLOYEES, AND/OR SATURDAY OR SUNDAY HOURS UP TO EIGHT HOURS PER EMPLOYEE.</p> <p>DOUBLE TIME RATES OF 1.66 TIMES REGULAR RATE SHALL APPLY TO WORK ON HOLIDAYS OR FOR HOURS IN EXCESS OF EIGHT PER DAY FOR INDIVIDUAL EMPLOYEES ON SATURDAY AND SUNDAY.</p> <p>*ADMINISTRATION COSTS ARE ONLY CHARGED ON SPECIAL PROJECTS AND SHALL BE ALLOWED ONLY AS AUTHORIZED BY THE DIVISION OF PURCHASES PRIOR TO PERFORMANCE OF SERVICES.</p> <p>NOTE: A.) MILEAGE SHALL NOT BE CHARGED BY THE VENDOR OR ALLOWED BY THE STATE. B.) MISCELLANEOUS MATERIALS SHALL BE INVOICED AT VENDOR'S COST PLUS 10%.</p> <p>THE STATE, SOLEY AT ITS OPTION SHALL:</p> <p>A) RESERVE THE RIGHT TO RENEW THE CONTRACT(S) RESULTING FROM THE SOLICITATION FOR TWO (2) ONE YEAR RENEWALS AT PRICES QUOTED FOR YEAR ONE OF THE CONTRACT.</p>			

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Department		Bid Number	Requisition Number
ADMINISTRATION		MPA-23	B01002
Item		Unit	Unit Price
	<p>DELIVERY OF GOODS OR SERVICES AS REQUESTED BY AGENCY. PAYMENTS WILL BE AUTHORIZED UPON SUBMISSION OF PROPERLY RENDERED INVOICES TO THE RECEIVING AGENCY. ANY UNUSED BALANCE AT END OF BLANKET PERIOD IS AUTOMATICALLY CANCELLED.</p> <p>VENDOR TELEPHONE #: 401-942-3555 VENDOR FAX #: 401-942-3570</p>		

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## **TERMS AND CONDITIONS OF PRICING AGREEMENT**

**SCOPE AND LIMITATIONS** - This Agreement covers requirements as described herein, ordered by State agencies during the Agreement Period. No additional or alternative requirements are covered, unless added to the Agreement by formal amendment by the State Purchasing Agent or his designee.

Under State Purchasing Law, 37-2-54, "no purchase or contract shall be binding on the state or any agency thereof unless approved by the department [of administration] or made under general regulations which the chief purchasing officer may prescribe." Under State Purchasing Regulation 8.2.1.1.2, "any alleged oral agreement or arrangements made by a bidder or contractor with any agency or an employee of the Office of Purchases may be disregarded and shall not be binding on the state."

**PRODUCT ACCEPTANCE** - All merchandise offered or otherwise provided shall be new, of prime manufacture, and of first quality unless otherwise specified by the State. The State reserves the right to reject all nonconforming goods, and to cause their return for credit or replacement, at the State's option.

- a) Failure by the state to discover latent defect(s) or concealed damage or non-conformance shall not foreclose the State's right to subsequently reject the goods in question.
- b) Formal or informal acceptance by the State of non-conforming goods shall not constitute a precedent for successive receipts or procurements.

Where the vendor fails to cure the defect promptly or replace the goods, the State reserves the right to cancel the Release, contract with a different vendor, and to invoice the original vendor for any differential in price over the original contract price.

### **ORDER AUTHORIZATION AND RELEASE AGAINST PRICING AGREEMENT**

**In no event shall the Vendor deliver goods or provide service until such time as a duly authorized release document is certified by the ordering Agency.**

**State Agencies** shall request release as follows: All releases shall reference the Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein.

A Department Purchase Order (DPO) listing the items ordered shall be created by the agency. The agency may mail or fax a copy of the order to the Vendor. In some cases the agency may request delivery by telephone, but must provide the Vendor with a DPO Order Number reference for billing purposes. Vendors are encouraged to require written orders to assure payments are processed accurately and promptly.

**DELIVERY** – If this is an MPA, Vendor will obtain "ship to" information from each participating agency. This information will be contained in the DPO. APA delivery information will be contained in the Notice of Award.

**PRICING** - All pricing shall be as described herein, and is considered to be fixed and firm for the term of the Agreement, unless specifically noted to the contrary herein. All prices include prepaid freight. Freight, taxes, surcharges, or other additional charges will not be honored unless reflected herein.

**INVOICING** – All invoices shall reference the DPO Order Number(s), Price Agreement number, the Contract Issue number, the item(s) covered, and the unit pricing in the same format as described herein. If this is an MPA, Vendor will obtain "bill to" information from each participating agency. This information will be contained in the DPO. APA billing information will be contained in the Notice of Award.

**PAYMENT** - Invoices for items not received, not priced according to contract or for work not yet performed will not be honored. No payment will be processed to any vendor for whom there is no IRS W-9 on file with the State Controller.

Appendix I

Definition of Labor Classifications

The following definitions of the labor classification (utilized by the USEPA) appearing below are provided to aid in the preparation of the technical and cost portion of your proposal.

Professional

- P4:
- Level 4 - Plans, conducts and supervises projects of major significance, necessitating proven managerial skills and knowledge of hazardous waste sites. Must demonstrate ability to originate and apply new and/or unique methods and procedures. Generally operates with wide latitude for unreviewed action.
  - Typical Title: National Program Manager, Project Leader, Chief Engineer or Scientist.
  - Normal Qualifications and Experience:
    - Ph.D. degree or equivalent with 10 years or more experience
    - M.S. degree or equivalent with 12 years or more experience
    - B.S. degree with 14 years or more experience
  - Experience Factors: Technical experience in chemical waste site investigations or chemical cleanup activities, solid waste management, water pollution control or other discipline directly related to the requirements of the contract. Minimum of 4 years experience in supervising multi-disciplinary professionals and general office management including budgetary requirements.
- P3:
- Level 3 - Under general supervision of National Program Manager plans, conducts and supervises assignments on a project-by-project basis. Estimates and schedules work to meet completion dates. Directs assistance, reviews progress and evaluates results, makes changes in methods, design or equipment where necessary.
- Responsible for safety and designing cost-effective approaches to define the extent of contamination at various waste sites in an accurate manner and to develop feasibility remedial options.
- Typical Title - Regional Team Leader, Project Engineer

- Normal Qualifications and Experience:

- Ph.D. degree or equivalent with 4 to 10 years experience
- M.S. degree or equivalent with 6 to 12 years experience
- B.S. degree with 8 to 14 years experience

- Experience Factors: Technical experience in chemical waste site investigations or chemical cleanup activities, water pollution control or other discipline directly related to the requirements of this contract. Minimum of 4 years or equivalent. Must have demonstrated ability to manage group of interdisciplinary professionals.

P2: - Level 2 - Under supervision of a senior or project leader, carries out assignments associated with project. Work assignments are varied and require some originality and ingenuity. Applies training of professional discipline to assigned projects and translates technical guidance and training received into usable products and reports. Evaluates data associated with various projects for use in defining extent of contamination and for developing feasibility studies for possible remedial action. Other duties as assigned.

- Typical Title: Engineer, Scientist, Analyst

- Normal Qualifications and Experience:

- M.S. degree or equivalent with 2 to 6 years experience in discipline
- B.S. degree or equivalent with 3 to 8 years experience in discipline

- Experience Factors: Minimum of 2 years in area directly related to contract requirements

P1: - Level 1 - Entry level for professional classification; works under supervision of team or project leader. Gathers and correlates basic data and performs routine tasks and other duties as assigned. Makes recommendations on work assignments and on variables which affect field operations. Assist fields operations as directed, including manual tasks of equipment setup and maintenance. Performs other duties as assigned.

- Typical Title: Junior Associate (Biologist, Ecologist, Earth Scientist, etc.,)

- Normal Qualifications and Experience:

- B.S. degree or equivalent with 0 to 3 years experience

- Experience Factor: None

### Technician

T2: - Level 2 - Performs non-routine and complex tasks in addition to routine assignments. Works at the direction of the team or project leader. Gathers and correlates basic data and performs routine analyses. May also perform experiments or tests which may require nonstandard procedures and complex instrumentation. May construct component or subassemblies or prototype models. May troubleshoot malfunctioning equipment and make simple repairs as authorized by team or project leader.

- Typical Title: Senior Technician

- Normal Qualifications and Experience:

Two to six years experience or equivalent

- Experience Factor: Related to scope of contract.

T1: - Level 1 - Entry level; performs simple, routine tasks under supervision as established in chain-of-command procedures. Performs routine maintenance and may install, setup or operate field equipment of moderate complexity. Provides a wide variety of support functions during field operations.

- Typical Title: Junior Technician (field technician)

- Normal Qualifications and Experience:

Zero to two years experience

- Experience Factor: None

### Experience/Qualifications Substitutions

1. Any combination of additional years of experience in the proposed field of expertise plus full time college study level in the particular field totaling 4 years will be an acceptable substitute for a B.S. degree.
2. A B.S. degree plus any combination of additional years of experience and graduate level study in the proposed field of expertise totaling 2 years will be an acceptable substitute for a masters degree.
3. A B.S. degree plus any combination of additional years of experience and graduate level study in the proposed field of expertise totaling 4 years or

a masters degree plus 2 years of either additional experience or graduate level study in the proposed field of expertise will be an acceptable substitute for a Ph.D. degree.

4. Additional years of graduate level study in an appropriate field will be considered equal to years of experience on a one-for-one basis.
5. For the technician categories, each year of full-time college level study will be considered equivalent to a year of practical experience.