

**AMENDMENT 1 to
MASTER CONTRACT USAGE AGREEMENT NUMBER K2322**

This Amendment 1 to Master Contract Usage Agreement Number K2322 (The "Agreement") is entered into by the Department of Enterprise Services, an agency of the state of Washington ("DES"), and the Pierce County Public Transportation Benefit Area Corporation, dba Pierce Transit, an agency of the state of Washington ("Buyer").

WHEREAS, the parties previously entered into the Agreement for the use of Master Contracts established by DES; and

WHEREAS, the parties have agreed to modify the fee model for the Buyer in the 15-17 biennium for the Bulk Fuel and Keep Fuel contract (current Contract Number 00311).

NOW THEREFORE, the parties agree to amend the Agreement as follows:

1. The Buyer will pay DES a flat fee of \$17,000.00 for the period of July 1, 2015 through June 30, 2017. The Buyer will reimburse DES \$8,500.00 annually.
2. In June of each year, DES will submit an invoice for the annual cost to the Buyer. This invoice will detail the flat fee for the year billed.
3. The Buyer will remit payment to DES within thirty (30) days of receipt of a properly prepared invoice.
4. Either party may terminate the Bulk Fuel and Keep Fuel agreement upon six (6) month prior written notification to the other party. If the agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

All other terms and conditions of the Master Contract Usage Agreement and all addenda and amendments thereto shall remain in full force and effect.

The effective date of Amendment 1 to Master Contract Usage Agreement Number K2322 is July 1, 2015, regardless of the date of execution, through June 30, 2017.

IN WITNESS WHEREOF the parties having read this Amendment 1, agree to it in each of and every particular, and have executed it below.

APPROVED

Department of Enterprise Services

C. F. Presnell
Signature

Farrell Presnell, Assistant Director
Name/Title

01/08/2016

APPROVED

Pierce Transit

Sue Dreier
Signature

WF Sue Dreier
Name/Title

CEO 12/11/15

Date

Date 12/11/15