

**AMENDMENT TO CONTRACT**  
**Annual Service**  
**Rental and Service of Industrial Gases**  
**Quote No. 5201**  
**City of Lincoln, Lancaster County and**  
**City of Lincoln-Lancaster County Public Building Commission**  
**Renewal**  
**Matheson-Trigas**

This Amendment is hereby entered into by and between Matheson-Trigas, 6901 Cornhusker Hwy, Lincoln, NE 68507 (hereinafter "Contractor") and the City of Lincoln, Lancaster County and the City of Lincoln-Lancaster County Public Building Commission (hereinafter "Owners"), for the purpose of amending the Contract dated February 11, 2016, executed under City Directorial Order No. 14544, and County Contract C-16-0069, dated February 9, 2016, and executed by the City of Lincoln-Lancaster County Public Building Commission, on February 9, 2016 for Annual Service - Rental and Service of Industrial Gases, Quote 5201, which is made a part of this amendment by this reference.

WHEREAS, the original term of the Contract is February 11, 2016 through February 10, 2017, with the option to renew for three (3) additional one (1) year terms upon written mutual consent by all parties; and

WHEREAS, the Contract was amended by City Directorial Order No. 16544, executed by the City on February 10, 2017, and by County Contract C-17-0106 executed by the County Board on February 14, 2017, and executed by the City of Lincoln-Lancaster County Public Building Commission on February 14, 2017, to renew the contract for an additional one (1) year term from February 11, 2017 through February 10, 2018; and

WHEREAS, the parties hereby renew the Contract for an additional one (1) year term beginning February 11, 2018 through February 10, 2019; and

WHEREAS, the expenditures for the City of Lincoln for the term of this renewal shall not exceed \$82,000.00 without approval by the City of Lincoln; and

WHEREAS, the expenditures for Lancaster County for the term of this renewal shall not exceed \$3,200.00 without approval by the Lancaster County Board; and

WHEREAS, the expenditures for the City of Lincoln-Lancaster County Public Building Commission for the term of this renewal shall not exceed \$700.00 without approval by the Public Building Commission; and

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants contained in the Contract under City Directorial Order No. 14544 and County Contract C-16-0069, all amendments thereto, and as stated herein, the parties agree as follows:

- 1) The parties hereby renew the Contract for an additional one (1) year term beginning February 11, 2018 through February 10, 2019.
- 2) The expenditures for the City of Lincoln for the term of this renewal shall not exceed \$82,000.00 without approval by the City of Lincoln.

- 3) The expenditures for Lancaster County for the term of this renewal shall not exceed \$3,200.00 without approval by the Lancaster County Board.
- 4) The expenditures for the City of Lincoln-Lancaster County Public Building Commission for the term of this renewal shall not exceed \$700.00 without approval by the Public Building Commission.
- 5) All other terms of the Contract, not in conflict with this Amendment, shall remain in force and effect.

The Parties do hereby agree to all the terms and conditions of this Amendment. This Amendment shall be binding upon the parties, their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Parties do hereby execute this Amendment upon completion of signatures on:

Vendor Signature Page

City of Lincoln Signature Page

Lancaster County Signature Page

City of Lincoln-Lancaster County Public Building Commission Signature Page


## Vendor Signature Page

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**Renewal**  
**Matheson-Trigas**

**Please sign, date and return within 5 days of receipt.**

Mail to: City/County Purchasing  
 Attn: Chris Lollar  
 440 So. 8th St., Ste. 200  
 Lincoln, NE 68508  
 Or email to: [clollar@lincoln.ne.gov](mailto:clollar@lincoln.ne.gov)

Company Name:	Matheson Tri Gas
By: (Please Sign)	
By: (Please Print)	Kevin Peterson
Title:	Bulk Gas Manager
Company Address:	6901 Cornhusker Hwy, Lincoln, NE 68507
Company Phone & Fax:	(402) 739-0668 Fax: (402) 434-6066
E-Mail Address:	Kpeterson@mathesongas.com
Date:	2/5/2018
Contact Person for Orders or Service	Kevin Peterson
Contact Phone Number:	(402) 739-0668

**City of Lincoln Signature Page**

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 City of Lincoln, Lancaster County and  
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 Renewal  
 Matheson-Trigas**

**EXECUTION BY THE CITY OF LINCOLN, NEBRASKA**

ATTEST:

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City Clerk

CITY OF LINCOLN, NEBRASKA

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Chris Beutler, Mayor

Approved by Executive Order No. \_\_\_\_\_

dated \_\_\_\_\_

**Lancaster County Signature Page**

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Matheson-Trigas**

**EXECUTION BY LANCASTER COUNTY, NEBRASKA**

Contract Approved as to Form:

The Board of County Commissioners of  
Lancaster, Nebraska

\_\_\_\_\_  
Deputy Lancaster County Attorney

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

dated \_\_\_\_\_

**City of Lincoln-Lancaster County Public Building Commission  
Signature Page**

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Renewal  
Matheson-Trigas**

**EXECUTION BY LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION**

ATTEST:

\_\_\_\_\_  
Public Building Commission Attorney

\_\_\_\_\_  
Chairperson, Public Building Commission

dated \_\_\_\_\_



**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – COMPLETED OPERATIONS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### **SCHEDULE**

<b>Name of Person or Organization:</b> PER WRITTEN CONTRACT
<b>Location and Description of Completed Operations:</b> PER LOCATION SCHEDULE
<b>Additional Premium:</b> N/A

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

**Section II – Who Is An Insured** is amended to include as an insured the person or organization shown in the Schedule. This person or organization is included as an insured only with respect to liability arising out of "your work" for that insured at the location designated and described in the Schedule and included in the "products-completed operations hazard".

All other terms and conditions remain unchanged.



**ADDITIONAL INSURED –  
DESIGNATED PERSONS OR ORGANIZATIONS**

Named Insured Matheson Tri-Gas, Inc.			Endorsement Number 4
Policy Symbol ISA	Policy Number H09062877	Policy Period 10/01/2017 TO 10/01/2018	Effective Date of Endorsement
Issued By (Name of Insurance Company) ACE American Insurance Company			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**This endorsement modifies insurance provided under the following:**

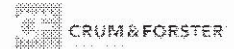
- BUSINESS AUTO COVERAGE FORM**
- AUTO DEALERS COVERAGE FORM**
- MOTOR CARRIER COVERAGE FORM**
- EXCESS BUSINESS AUTO COVERAGE FORM**

Additional Insured(s): Any person or organization whom you have agreed to include as an additional insured under a written contract, provided such contract was executed prior to the date of loss.

- A. For a covered "auto," Who Is Insured is amended to include as an "insured," the persons or organizations named in this endorsement. However, these persons or organizations are an "insured" only for "bodily injury" or "property damage" resulting from acts or omissions of:
  - 1. You.
  - 2. Any of your "employees" or agents.
  - 3. Any person operating a covered "auto" with permission from you, any of your "employees" or agents.
- B. The persons or organizations named in this endorsement are not liable for payment of your premium.

\_\_\_\_\_  
Authorized Representative

Policy Number  
5432194521



SCHEDULE OF FORMS AND ENDORSEMENTS  
UNITED STATES FIRE INSURANCE COMPANY

Named Insured MATHESON TRI GAS INC. ;  
Agent Name WILLIS OF PENNSYLVANIA, INC.

Effective Date: 10-01-2017  
12:01 A.M., Standard Time  
Agent No. 81503

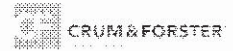
COMMON POLICY FORMS AND ENDORSEMENTS

IL P 001	01-04	US TREASURY DEPT'S OFAC ADVISORY NOTICE
FM 303.0.14	08-07	EARLIER NOTICE CANCEL/NONRENEWAL BY US
IL 09 85	01-15	DISCLOSURE PURSUANT/TERROR RISK INS ACT
FM 206.0.6	10-13	COMMON POLICY DECLARATION
FM 206.0.2	04-94	SCHEDULE OF FORMS AND ENDORSEMENTS
FM 206.0.1	04-94	SCHEDULE OF NAMED INSUREDS
FM 206.0.3	04-94	SCHEDULE OF LOCATIONS
IL 00 17	11-98	COMMON POLICY CONDITIONS
FM 206.0.8	04-94	SCHEDULE OF TAXES, SURCHARGES OR FEES
IL 00 21	09-08	NUCLEAR ENERGY LIABILITY EXCLUSION ENDT
MI 07 001	01-15	SIGNATURE PAGE - US FIRE
IL 01 41	09-08	NEW JERSEY CHANGES - CIVIL UNION
IL 02 08	09-07	NJ CHANGES-CANC & NONRENL
FM 303.0.22	04-11	NOTICE OF CANCELLATION FOR CERT HOLDERS

GENERAL LIABILITY FORMS AND ENDORSEMENTS

FM 101.0.2410	09-10	DESIGNATED CONSTRUCTION PROJECT GEN AGG
FM 206.0.49	08-10	COMPOSITE RATING PLAN ENDORSEMENT-GL
FM 101.0.1404	07-01	COMM GL COV PART SUPP DECLARATION
FM 101.0.1405	04-94	COMM GL COV PART SUPP DECLARATION
CG 26 20	10-93	NJ CHANGES - LOSS INFORMATION
CG 00 01	04-13	COMMERCIAL GENERAL LIABILITY COV FORM
CG 04 35	12-07	EMPLOYEE BENEFITS LIABILITY COVERAGE
CG 20 10	04-13	ADDL INSD - OWNERS/LESSEES/CONTRACTORS
CG 20 26	04-13	ADDL INSD-DESIGNATED PERSON/ORGANIZATION
CG 20 37	04-13	ADDL INSD-OWNERS/LESSEES/CONTR-COMP OPS
CG 21 47	12-07	EMPLOYMENT-RELATED PRACTICES EXCLUSION
CG 21 65	12-04	TOTAL POLLUTION EXCL-WITH EXCEPTIONS
CG 21 67	12-04	FUNGI OR BACTERIA EXCLUSION
CG 21 76	01-15	EXCL OF PUNITIVE DAM REL TO CERTIF ACT
CG 21 84	01-15	EXCL NUC/BIO/CHEM CERT ACTS-TERR;CAP LS
CG 24 10	07-98	EXCESS PROVISION VENDORS
CG 24 22	04-13	AMEND OF COV TERR-WORLDWIDE COVERAGE
FM 101.0.1252	10-05	ABSOLUTE ASBESTOS EXCLUSION
FM 101.0.2066	09-02	CROSS LIABILITY EXCLUSION
FM 101.0.2167	05-04	ABSOLUTE SILICA EXCLUSION
FM 101.0.2394	06-12	ESCAPED GAS ENDORSEMENT
FM 101.0.2617	04-11	ADD INSURED-OWNERS, LESSEES, CONTRACTORS
FM 600.0.1175	03-08	LEAD EXCLUSION - NEW JERSEY
CG 24 04	05-09	WAIVER OF TRANSFER RIGHTS OF RECOVERY
CG 21 06	05-14	EXCL-ACC/DISCL OF CONFI OR PERSONAL INFO
CG 22 66	11-85	MISDELIVERY OF LIQUID PRODUCTS COVERAGE
CG 24 17	10-01	CONTRACTUAL LIABILITY - RAILROADS
FM 206.0.38	04-03	MINIMUM EARNED PREMIUM ENDORSEMENT
MG 70 005	10-15	SELF- INSURED RETENTION ENDORSEMENT
MG 70 006	10-15	GENERAL LIABILITY DEDUCTIBLE ENDORSEMENT
MG 70 007	10-15	WELDING HEALTH HAZARD COVERAGE LIMITATIO
MG 70 029	07-17	WAIVER OF GOVERNMENTAL OR SOV IMMUNITY
MG 70 030	07-17	GENERAL LIABILITY ENHANCEMENT ENDT

Policy Number  
5432194521



SCHEDULE OF NAMED INSURED  
UNITED STATES FIRE INSURANCE COMPANY

Named Insured MATHESON TRI GAS INC. ;  
Agent Name WILLIS OF PENNSYLVANIA, INC.

Effective Date: 10-01-17  
12:01 A.M., Standard Time  
Agent No. 81503

FM 206.0.6 (cont.)

THE NAMED INSURED ON FORM FM 206.0.6 IS AMENDED TO READ:

MATHESON TRI GAS INC. ;  
MTG (HOLDINGS) PROPANE I CORP.  
(P/K/A CAXTON-ISEMAN  
(HOLDINGS) PROPANE I CORP) ;  
MTG FUNDING LLC ;  
RASIRC, INC. ;  
VNG PROPANE LLC ;  
WESTERN INTERNATIONAL GAS &  
CYLINDERS, INC. ;  
CONTINENTAL CARBONIC PRODUCTS,  
INC ;  
PIONEER MATERIALS, INC. ;  
3-D WELDING & INDUSTRIAL  
SUPPLY INC.