

AMENDMENT #1 to
Contract #
IGA-300114349

1. This is Amendment No. 1 to Contract No. IGA-300114349 (as amended from time to time, the "Agreement") dated July 1, 2013 between the State of Oregon, acting by and through its Department of State Police, Office of State Fire Marshal, hereafter called "OSFM", and City of Portland, hereafter called "Contractor".
2. The Agreement is hereby executed upon signatures by all parties and is amended as follows with new language indicated in **bold underline** and deleted language indicated by strikethrough unless otherwise stated herein:

EXHIBIT G

Extraordinary Response Cost Fee Schedule -- Part II

COMPENSATION FOR CONTRACTOR'S RESPONSE PERSONNEL

2013-2015

OSFM shall reimburse Contractor and seek compensation from the Responsible Person(s) for Contractor personnel utilized in response to a hazardous materials Incident at the following rates:

Personnel Category	Hourly Rate
HazMat Team Member -- Non Officer/Firefighter	<u>\$85.38</u> \$75.91
HazMat Team Member -- Officer/Lieutenant	<u>\$92.38</u> \$80.96
HazMat Team Member -- Officer/Captain	<u>\$100.39</u> \$93.05

All other support personnel at actual costs.

Pursuant to section 4.2.1 of this Agreement, it is the intent of OSFM and Contractor that if, during the term of this Agreement, the base hourly rate of Contractor's employees for non officers, officers, or salaried officers changes due to a change in any collective bargaining agreement between Contractor and Contractor's employees, that on the date those changes become effective under a collective bargaining agreement, those changes will be incorporated in this Agreement by formally amending this Agreement in writing and shall be used for purposes of calculating compensation for Contractor's Personnel Response Costs only after the effective date of the Amendment. Notwithstanding any retroactive payment provision contained in a collective bargaining agreement, the Contractor's Personnel Response Costs shall be calculated and reimbursed at the hourly rate set forth in the version of this Agreement which was in effect at the time the Contractor commenced the hazardous materials emergency response.

Hourly Personnel Response Rate

Calculation Worksheets

NON-OFFICER

FIREFIGHTER

NOTE: Base Hourly Rate/Non-Officer is calculated at the overtime rate for the highest paid, technician trained team member at this rank who is not an officer.

BASE SALARY

Regular hourly rate $\$35.74 \times 1.5 = \53.61 $\$47.8350$

INSURANCE/BENEFITS

Premium paid per month $\$1,744.32 \div 224.990 = \7.7529 $\$4.6796$

PERS

Employer's contribution paid per month $\$1,474.75 \div 224.990 = \6.5547 $\$6.1867$

WORKERS COMP INSURANCE*

$\$53.61 \times 0.0201 = \1.0776 $\$0.7175$

FICA* (Medicare 1.45%)

$\$53.61 \times 1.45\% = \0.7773 $\$0.6936$

UNEMPLOYMENT TAX** N/A

PAYROLL TAX**

Base hourly rate $\$35.74 \times 0.6968\% = \0.249 $\$0.2222$

RESPONSE AVAILABILITY RATE \$15.5788

TOTAL HOURLY RATE: $\$85.3762$ $\$75.9134$

* Percentage for calculation provided by Oregon State Police Payroll System, effective January 17, 2013.

** Unemployment and Payroll Taxes are local taxes which, if applicable, are calculated by the percentage allowed by local laws.

Hourly Personnel Response Rate

Calculation Worksheet

OFFICER (Eligible for Overtime)

LIEUTENANT

NOTE: Base Hourly Rate/Officer is calculated at the overtime rate for the highest paid, technician trained team member at this rank who is an officer.

BASE SALARY

Regular hourly rate $\$40.25$ $\$34.78 \times 1 \frac{1}{2} = \60.3750 $\$52.1700$

INSURANCE/BENEFITS

Premium paid per month $\$1744.32$ $\$1,059.00 \div 224.990$ 226.30 hours worked per month = $\$7.7529$ $\$4.6796$

PERS

Employer's contribution paid per month $\$1,474.75$ $\$1,526.92 \div 224.990$ 226.30 hours worked per month = $\$6.5547$ $\$6.7473$

WORKERS COMP INSURANCE*

$\$60.375$ $\$52.1700 \times 0.0201$.015 = $\$1.2135$ $\$0.7826$

FICA* (Medicare 1.45%)

$\$60.375$ $\$52.1700 \times 1.45\% = \0.8754 $\$0.7565$

UNEMPLOYMENT TAX** N/A

PAYROLL TAX**

Base hourly rate $\$40.25$ $\$34.78 \times 0.6968\% = \0.0280 $\$0.2423$

RESPONSE AVAILABILITY RATE \$15.5788

TOTAL HOURLY RATE: $\$92.3784$ $\$80.9571$

* Percentage for calculation provided by Oregon State Police Payroll System, effective January 17, 2013.

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Hourly Personnel Response Rate

Calculation Worksheet

OFFICER (Eligible for Overtime)

CAPTAIN

NOTE: Base Hourly Rate/Officer is calculated at the overtime rate for the highest paid, technician trained team member at this rank who is an officer.

BASE SALARY

Regular hourly rate $\$45.41$ $\$41.71 \times 1 \frac{1}{2} = \68.1150 $\$62.5650$

INSURANCE/BENEFITS

Premium paid per month $\$1,744.32$ $\$1,059.00 \div 224.990$ 226.30 hours worked per month = $\$7.7529$ $\$4.6796$

PERS

Employer's contribution paid per month $\$1474.75$ $\$1,831.16 \div 224.990$ 226.30 hours worked per month = $\$6.5547$ $\$8.0917$

WORKERS COMP INSURANCE*

$\$68.115$ $\$62.5650 \times 0.0201$.015 = $\$1.3691$ $\$0.9385$

FICA* (Medicare 1.45%)

$\$68.115$ $\$62.5650 \times 1.45\% = \0.9877 $\$0.9072$

UNEMPLOYMENT TAX** N/A

PAYROLL TAX**

Base hourly rate $\$45.41$ $\$41.71 \times 0.6968\% = \0.0316 $\$0.2906$

RESPONSE AVAILABILITY RATE \$15.5788

TOTAL HOURLY RATE: $\$100.3898$ $\$93.0515$


* Percentage for calculation provided by Oregon State Police Payroll System, effective January 17, 2013.

** Unemployment and Payroll Taxes are local taxes which, if applicable, are calculated by the percentage allowed by local laws.

3. Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. All parties certify that the representations, warranties and certifications contained in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

STATE OF OREGON by and through
its Department of State Police

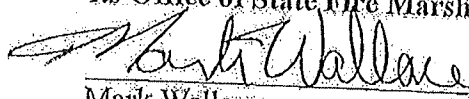
City of Portland


Joel Lujan, Major

1-8-14
Date

Date

STATE OF OREGON by and through
its Office of State Fire Marshal


Mark Wallace,
State Fire Marshal

12/27/13
Date

APPROVED AS TO FORM

 also

CITY ATTORNEY