



June 26, 2017

Hidalgo County
2812 S. Business Highway 281
Edinburg, Texas 78539

Re: Alternative Language

Dear Hidalgo County,

To better protect both Safety-Kleen Systems Inc. and Hidalgo County, Safety-Kleen Systems Inc. hereby requests the addition of Safety-Kleen Systems, Inc.' Non-Conforming Waste provision.

"If the work involves the transportation and disposal of Waste, the Customer shall provide Contractor with a description of said waste ("Waste Profile"). Upon approval by Contractor, the Waste Profile shall be incorporated into and become a part of this Agreement. Waste materials discovered by Contractor to be non-conforming, if in Contractor's possession, shall be prepared for lawful transportation by Contractor and returned to the Customer within a reasonable time after rejection by Contractor, unless the parties agree to an alternative and lawful manner to dispose of the waste materials. The Customer shall pay Contractor at agreed rates for the handling, loading, preparing, transporting, storing and caring for and, if applicable, disposing of such non-conforming waste materials. The waste material shall be considered non-conforming if the waste materials contain constituents or have characteristics or properties not disclosed on the Waste Profile. Notwithstanding anything to the contrary, Customer shall be solely responsible for any and all losses, liabilities, claims, penalties, forfeitures, suits, and the cost and expenses incident thereto (including cost of defense, settlement and reasonable attorneys' fees) which Contractor may hereafter incur, or pay out as a result of death or bodily injuries to any person, destruction or damage to any property, contamination of or adverse effects on the environment or any violation of applicable federal, state and local laws, regulations, by-laws or ordinances arising out of or related to non-conforming waste materials. "

Additionally, Safety-Kleen Systems, Inc. also hereby requests the revision to para. 1, page 4 of draft Sample Contract to include the following (" or connected with the provision of the Service by Company under this Contract, provided and to the extent the same are caused by the negligence or willful misconduct of Contractor.").

Safety-Kleen Systems, Inc. appreciates the opportunity to present you with this bid, and look forward to meeting your environmental needs and exceeding your service expectations.

Please contact me if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel Watson". The signature is fluid and cursive, written over a light blue horizontal line.

Rachel Watson
Government Business Developer Specialist
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