



# Oregon

Kate Brown, Governor

Department of Administrative Services  
Enterprise Goods & Services - Procurement Services  
1225 Ferry Street  
Salem, Oregon 97301-4285  
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## Notice of Termination and Agreement to Terminate NASPO ValuePoint Master Agreement

September 27, 2019

Rubbercycle, LLC dba Rubberecycle  
1985 Rutgers University Blvd.  
Lakewood, NJ 08701

Attention: Keith Sacks

RE: Mutual Termination Agreement  
NASPO ValuePoint Master Agreement No. 6481

Dear Mr. Sacks,

This Mutual Termination Agreement ("Agreement") is between the State of Oregon acting by and through the Department of Administrative Services, Procurement Services ("DAS PS") on behalf of the member states of the NASPO ValuePoint Cooperative Purchasing Program ("NASPO ValuePoint") and Rubbercycle, LLC dba Rubberecycle a New Jersey Corporation ("Contractor") and is effective upon signature by the parties and receipt of all necessary approvals. ("Effective Date").

On or about November 30, 2016, DAS PS and Contractor entered into a Master Agreement for Parks and Recreation Equipment and Related Services on behalf of the NASPO member states ("Master Agreement"). The parties have amended the Master Agreement several times since that date. The Master Agreement required Contractor to attend annual "Performance Reviews" specified in Exhibit D, Section 5, (e) of Master Agreement, and unfortunately certain performance issues have arisen and it has become clear that Contractor is unable to fulfill the requirements of the Master Agreement.

On or about February 21, 2019, Contractor advised the Contract Administrator for the Lead State, Shirley Smith, that Contractor no longer had the resources to satisfy the ongoing requirements of the Master Agreement and requested termination of Master Agreement 6481. DAS PS has reviewed the information and has elected to terminate the Master Agreement.

THEREFORE, the parties hereby mutually agree to terminate the Master Agreement on effective December 1, 2019. Contractor shall stop performance under this Master Agreement as directed by DAS PS. Pursuant to Sections 15.3 and Section 15.4 of the Master Agreement, termination of the Master Agreement also terminates ordering instruments in which Contractor is not legally required to deliver, but does not terminate those ordering instruments Contractor accepted prior to the effective date of the termination.

Please sign and return a copy of this Mutual Termination Agreement at your earliest convenience.

**CONTRACTOR: RUBBERCYCLE, LLC dba RUBBERECYCLE**

By: 

Print Name: Jeremy Morningstar

Title: Sales & Marketing

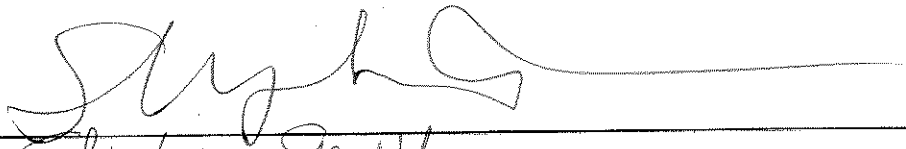
Date: 10-4-19

**APPROVED BY DEPARTMENT OF ADMINISTRATIVE SERVICES, PROCUREMENT SERVICES:**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_



Shirley Smith

State Procurement Analyst

Date: 10/4/19