

WINTER TRANSPORTATION ROAD  
MAINTENANCE AGREEMENT

BETWEEN

MAMMOET USA SOUTH INC.

AND

THE STATE OF IDAHO, IDAHO TRANSPORTATION DEPARTMENT

Transportation Winter Cost Breakdown for Movement of Oversized Loads

WHEREAS, the Idaho Transportation Department (Department) and Mammoet USA South Inc are desirous to enter into an agreement for the removal of snow from US95 and I90 between Lewiston and the Montana border; and

WHEREAS, for purposes of this agreement the Department has issued or anticipates issuing overlegal permits to Mammoet for the movement of overlegal loads to move during the winter of 2013/2014. Under the terms of said permits, the loads will not be allowed to move in inclement weather or when the roads are unsuitable as deemed by ITD.

WHEREAS, travel along the proposed route will not be allowed unless approval by the Department is obtained at least 24 hours in advance of the proposed move in order to assure the roadway is passable and safe due to weather and road conditions.

NOW, THEREFORE, the parties hereby agree as follows:

SCOPE

In accordance with the permit requirements, the transport of each proposed overlegal load will be accompanied, when necessary and at Mammoet's sole and complete expense, by an ITD snow plow truck with sander to contend with any minor changes in road and/or weather conditions as the move progresses.

In consideration of providing the extra support of the above mentioned snow plow truck; Mammoet agrees to reimburse the Department the following amounts:

Equipment:

6--Wheel plow/sander truck	\$46.20/hour
10-Wheel plow/sander truck	\$54.30/hour
3 yd. Loader	\$32.09/hour
4 yd. Loader	\$58.12/hour
Snow blower	\$125.00/hour
Road grader	\$108.99/hour

Materials:

Antiskid Sanding Material	\$19.09/ton used
Magnesium Chloride	\$162.97/ton used
Salt	\$116.45/ton used
Salt Brine	

## Salt Brine

### LABOR

Labor costs will be actual loaded rate of individual (Loaded rate = Hourly rate \* 1.41 ). Typical cost for hourly rate varies by employee. For purposes of estimating costs – or- expenditures, use \$25.00/hour. The foreman for his particular road section will accompany the load during winter to ensure safe road conditions and monitor for changes. Any overtime incurred will be charged at 1.5 times the hourly rate. Overtime charges do not occur until after the employee has worked 40 hours for the week

### AVAILABILITY

It is understood and agreed between the parties that the vehicles and drivers provided above will be made available to Mammoet in connection with the overlegal moves only as they are available and to the extent that they are not needed at other locations during the requested times. It is further understood and agreed that the Department's primary responsibility is to the traveling public and as such, the Department makes no representations regarding the availability of the vehicles or drivers provided above.

### INDEMNIFICATION

Mammoet shall indemnify defend and save harmless the Department from and against all demands claims or liabilities of every nature whatsoever caused by or arising out of any negligent acts by Mammoet or Mammoet's officers, agents, and employees while acting within the course and scope of their employment which arise from or which are in any way connected with this project

WARREN (CHIP) KACHEL, Project Director  
Mammoet USA South Inc.

DAVID B. KUISTI District 2 Engineer  
Idaho Transportation Department

APPROVED AS TO FORM:

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Deputy Attorney General  
Idaho Transportation Department