



an Air Liquide company

July 19, 2019

Ms. Pat Wegner
Wayne State University
5700 Cass Avenue, Suite 4200
Detroit, MI 48202

RE: Declaration of Excuse of Performance/Force Majeure and Allocation to Customers Supplied with Liquid Carbon Dioxide (the "Product") from the Airgas USA, LLC plant in Blissfield, MI (the "Riga Plant")

Dear Ms. Wegner:

Airgas regrets to inform you that, due to circumstances beyond Airgas' reasonable control, the third party from which Airgas purchases feedstock necessary for the production of Product will take its facility off line and will not have feedstock available for our Riga Plant. As a result, Airgas must declare an Excuse of Performance/Force Majeure Condition ("Force Majeure") effective July 22, 2019 at 12:01 am. At this time, Airgas estimates the Force Majeure could continue for three months ("Force Majeure Period").

During the Force Majeure Period, Airgas is able to obtain substitute Product from other available sources ("Alternative Product"). Airgas will allocate such Alternative Product between all customers affected by the Force Majeure in an effort to mitigate the effect of this event. Because Airgas is obtaining Alternative Product outside its normal source of supply, any Product you receive will be subject to a temporary surcharge of \$115.00 per ton for Product above your contracted price for such Product. Currently, Airgas estimates that it may be able to provide you with up to 100% of your normal monthly Product consumption ("Allocated Product") based on the average monthly volume of Product delivered to you for the prior 3 months.

If you do not wish to obtain Alternative Product from Airgas, you will be permitted to obtain your Product from other suppliers during the Force Majeure Period ("Third Party Substitute Product"). Upon your request, Airgas can provide you with a written consent to purchase Third Party Substitute Product. This letter, however, is not a release from any contractual obligations you may have to purchase Product from Airgas once you are notified that the Force Majeure is over.

Airgas values your business and regrets this situation. Please feel free to contact your Bulk Gas Specialist (Chris Carson, 517-980-2209) with additional questions.

Respectfully,

Jeff Cass
President – Great Lakes Region
Airgas USA, LLC

Kenneth Doherty

From: Kenneth Doherty
Sent: Monday, July 29, 2019 12:21 PM
To: ZEBROWSKI, Michael; Loretta Davis-McClary
Cc: HARTWICK, Rick; Cheryl Barnick; Jennifer Chesnick
Subject: RE: FW: Liquid Carbon Dioxide (the "Product") from the Airgas - Force Majeure

OK, that's terrific. Thanks for confirming for us.

Ken Doherty | Wayne State University

Associate Vice President | Procurement & Strategic Sourcing
(313) 577-3756 | fax (313) 577-3747

From: ZEBROWSKI, Michael [mailto:mike.zebrowski@airgas.com]
Sent: Monday, July 29, 2019 11:13 AM
To: Loretta Davis-McClary <ac2843@wayne.edu>
Cc: HARTWICK, Rick <rick.hartwick@airgas.com>; Kenneth Doherty <ken-doherty@wayne.edu>; Cheryl Barnick <Cheryl.Barnick@airgas.com>; Jennifer Chesnick <jennifer.chesnick@airgas.com>
Subject: Re: FW: Liquid Carbon Dioxide (the "Product") from the Airgas - Force Majeure

Loretta,

Airgas does not expect any supply disruption or pricing action as Wayne State is under contract with Airgas, and we are able to supply 100% of Wayne State's cylinders of Carbon dioxide during this Force Majeure period.

This specific Force Majeure is temporary, and is primarily directed to users of bulk liquid Carbon dioxide, whereas Wayne State uses cylinders of product.

Best Regards,

Michael Zebrowski
Specialty Gas Specialist, Great Lakes Region
Airgas, an Air Liquide Company
m: 248.259.0845
mike.zebrowski@airgas.com

On Jul 29, 2019 10:32 AM, "Loretta Davis-McClary" <ac2843@wayne.edu> wrote:

From: Loretta Davis-McClary
Sent: Monday, July 29, 2019 10:33 AM
To: ZEBROWSKI, Michael <mike.zebrowski@airgas.com>; Jennifer Chesnick <jennifer.chesnick@airgas.com>
Cc: HARTWICK, Rick <rick.hartwick@airgas.com>; Cheryl Barnick <Cheryl.Barnick@Airgas.com>; Kenneth Doherty <ken-doherty@wayne.edu>
Subject: FW: Liquid Carbon Dioxide (the "Product") from the Airgas - Force Majeure

Hi Mike / Jennifer,

Per the email chain below, would you please email us a listing of WSU customers that use this product, so that we can notify them of the increase?

Please let me know if you have any questions.

Thanks.

Loretta McClary

Buyer

Wayne State University

Procurement & Strategic Sourcing

Phone: 313-577-4567

Fax: 313-577-3747

From: Kenneth Doherty <ken-doherty@wayne.edu>

Sent: Monday, July 29, 2019 7:05 AM

To: Loretta Davis-McClary <ac2843@wayne.edu>

Cc: Michael Paul <michael.paul@airgas.com>; Michael Zebrowski <mike.zebrowski@airgas.com>

Subject: Liquid Carbon Dioxide (the "Product") from the Airgas - Force Majeure

Loretta,

I'm not sure if you've received the attached Excuse of Performance/Force Majeure and Allocation to Customers Supplied with Liquid Carbon Dioxide (the "Product") from the Airgas USA, LLC? If so, would you work with our local rep's to see if we use this product. I don't recall it being significant in our strategic supplier pricing, but if it is, we'll want to get the word out.

This states' it's already effective July 22nd. The envelope (not attached) arrived July 26th, but it probably would not have mattered, since the letter is dated Friday 7-19 and was effective the next business day. Still, if anyone's affected, we'll want to make sure we let them know about the increase.

Ken Doherty | Wayne State University

Associate Vice President | Procurement & Strategic Sourcing

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Jeff Cass
President - Great Lakes Region
Airgas USA, LLC