

COVID-19 ANNOUNCEMENT

The outbreak of COVID-19 has spread globally and continues to expand. The World Health Organization recognized the outbreak as an “international public health emergency” in January 2020, and on March 11, 2020 declared it to be a pandemic. Countries around the world are instituting quarantines and restrictions on both domestic and international travel. Both the pandemic itself and the restrictions being enforced in response to it have affected and will continue to affect API-Schmidt Bretten (API) and its suppliers’ abilities to timely deliver goods and services.

The schedule commitments contained in our order confirmation are based upon the assumption that the current effect of COVID-19 and associated government restrictions on API’s ability to deliver under our order confirmation will remain essentially the same or less as we understand them to be on the date of our order confirmation. Given that the situation remains dynamic, API hereby amends its order confirmation to include the following provision:

Covid-19 Virus

The parties acknowledge that the COVID-19 pandemic and government actions in response to it have affected and will continue to affect Seller’s ability to deliver goods and services around the world (the “COVID-19 Impact”). In the event that the COVID-19 Impact affects Seller’s ability to deliver on time or at the bid price, Seller shall be entitled to an equitable adjustment in schedule and price as appropriate, subject to Seller’s obligation to work in good faith with Buyer to mitigate the impact on schedule and/or cost.

API is in regular contact with both the relevant health organizations and our suppliers, and we are taking and will continue to take all reasonable steps to mitigate the COVID-19 impact, while prioritizing everyone’s health and safety. We will keep you informed as the situation develops and will notify you promptly if it becomes clear that our commitments under this proposal will be adversely affected.

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