

FIRST AMENDMENT OF THE AGREEMENT FOR THE  
 PURCHASE AND SUPPLY OF MULCH – ANNUAL

THIS FIRST AMENDMENT OF THE AGREEMENT FOR THE PURCHASE AND SUPPLY OF MULCH – ANNUAL is made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Express Mulch Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement to purchase various types of mulch, pine straw, decorative shell, etc. through Solicitation No. B200323BJB with Vendor on the 15<sup>th</sup> day of April, 2021 ("Agreement "); and,

WHEREAS, after the execution of the agreement, it was determined that it would be in the best interest of the County to add additional blown in mulch products to the Fee Schedule in Exhibit B of the Agreement; and,

WHEREAS, the Parties desire to modify the Agreement to add "Red/Gold Mulch," "Brown Mulch," and "Engineered Wood Fiber (EWF)" to the Fee Schedule in Exhibit B of the Agreement, pursuant to Article XV. MISCELLANEOUS of the Agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

1. The Parties agree that the following Fee Schedule shall supersede the existing Fee Schedule in Exhibit B of the Agreement:

<b>ANNUAL PURCHASE OF MULCH</b>								
<b>SECTION B: BLOW IN MULCH</b>								
Item	Description	Flora Mulch	Vita Mulch	Pro EUC Mulch	Medium Rustic Pine Bark Nuggets	Red/Gold Mulch	Brown Mulch	Engineered Wood Fiber (EWF)
6	Blow In Mulch (PRICE PER CUBIC YARD)	\$ 34.75	\$ 34.00	N/A	\$ 43.00	\$ 40.00	\$ 40.00	\$ 42.75

IN WITNESS WHEREOF, this First Amendment of the Agreement has been signed and sealed, in duplicate, by the respective parties hereto.

DATED this 22 day of November, 2022 by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

BY: 

Mary G. Tucker

Director of Procurement Management, on behalf of the Board of County Commissioners


APPROVED as to Form for the Reliance of Lee County Only

BY: 

County Attorney's Office

DATED this 17 day of October, 2022 by Express Mulch Inc.

ATTEST:

  
\_\_\_\_\_  
(Witness)

BY: 

Authorized Signature

Evan Gorny

Authorized Signature Printed Name

President

Authorized Signature Title

CORPORATE SEAL: