

FIRST AMENDMENT OF AGREEMENT FOR ONGOING BRIDGE
MAINTENANCE AND REPAIR PROJECTS

FIRST AMENDMENT OF AGREEMENT FOR ONGOING BRIDGE MAINTENANCE AND REPAIR PROJECTS, made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and VinMar Waterproofing & Concrete Restoration, LLC ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement for the purchase of ongoing bridge maintenance and repair services through Solicitation B160633DKR with Vendor on the 16th day of May, 2017 ("Agreement");

WHEREAS, the County has modified its award procedures for the types of services performed under this Agreement and will be utilizing a new simplified form; and,

WHEREAS, the Parties desire to raise the bond requirement in Exhibit D – Performance and Payment Bonds from \$100,000.00 to \$200,000.00; and,

WHEREAS, the Parties desire to update the Agreement pursuant to Article XVII. Miscellaneous of the Agreement.

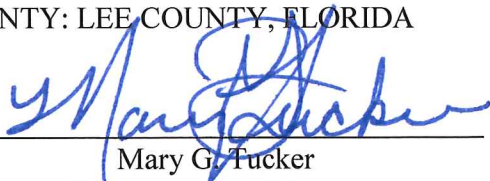
NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

1. All uses of the term: "Supplemental Task Authorization" shall be superseded by: "County Project Authorization."
2. All uses of the term: "Change Order" shall be superseded by: "County Project Modification."
3. The Parties agree that the term "\$100,000.00" in Exhibit D - Performance and Payment Bonds shall be superseded by "\$200,000.00."

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

DATED this 28 day of January, 2019 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

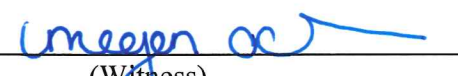
APPROVED as to Form for the Reliance of
Lee County Only

BY: 
County Attorney's Office

DATED this 2nd. day of January, 2019 by VinMar Waterproofing & Concrete
Restoration, LLC

ATTEST:

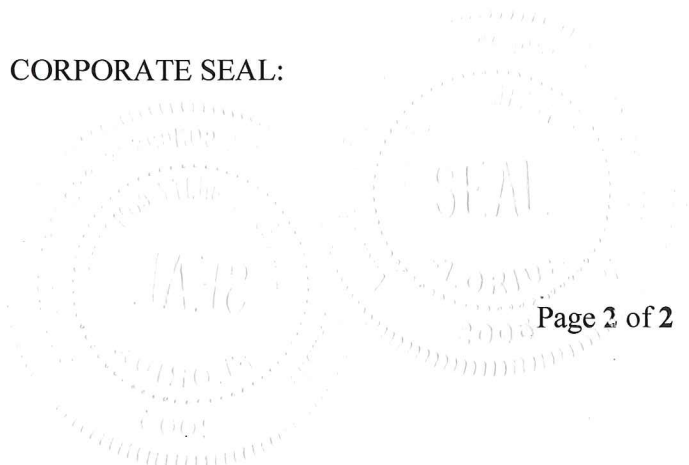
BY: 
Authorized Signature


(Witness)
Megan Odom

VINCENT MARSH
Authorized Signature Printed Name


Authorized Signature Title

CORPORATE SEAL:





Lee County Procurement Management
Signatory Authorization Affidavit

Date: January 02, 2019 Company Name: VinMar Waterproofing & Concrete Restoration, LLC ("Company")

AUTHORIZATION: The Affiant warrants the truth and accuracy of this Affidavit to statements hereinafter made. The Affiant acknowledges that it is of critical importance that the individuals signing legally binding documents on the Company's behalf possess the authority to bind the Company so that both parties are bound by the terms of said documents. The Affiant further acknowledges that the Lee County Board of County Commissioners ("County") reserves the right to request supporting documentation regarding signatory authorization, at any time, and a document will be rejected, if it does not comply exactly with the signature authorization requirements.

INSTRUCTIONS: This Authorization Affidavit shall only be executed by the following:

- Corporation: President or CEO
- LLC: Managing Member, if manager-managed LLC or Member, if member-managed LLC
- Sole Proprietor: Owner
- An individual authorized to sign on the Company's behalf as evidenced by internal Company documentation delegating signing authority to that individual. Please attach internal Company documentation, if applicable.

All signatures on this Affidavit must be wet, non-electronic and non-digital original signatures. If you have more than four Authorized Signatories, please duplicate this page. A wet, non-electronic and non-digital original signature is required on each page. The following individuals are hereby authorized, as representatives of the Company identified above, to sign and execute legally binding documents on behalf of the Company.

Authorized Signatory Name	Title
Vincent G. Marsh	Manager/Managing Member
Mercedes Marsh	Manager/Managing Member

By executing this Affidavit, I hereby authorize the individuals shown above to sign and execute legally binding documents on behalf of the Company. I further acknowledge that it shall be the sole responsibility of the Company to provide an updated Signatory Authorization Affidavit, upon any change in signatory authorization, to the County, Attention: Procurement Management Director, 1500 Monroe Street, 4th Floor, Fort Myers, FL 33901.

Vincent Marsh Managing Member 2nd. of January 2019
(Signature of Affiant) (Title: President, CEO, Managing Member, Member, Owner) (Date)

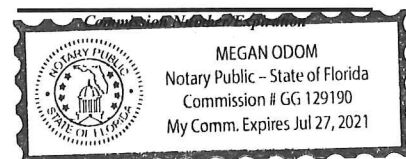
Vincent Marsh
(Printed Name of Affiant)

STATE OF Florida
COUNTY OF Polk

The foregoing instrument was signed and acknowledged before me this 2nd day of January

20 20 who produced the following as identification FLDL M620-867-50-401-0
(type of identification and number or personally known)

Megan Odom Megan Odom
Notary Public Signature Printed Name of Notary Public



CONTRACT REVIEW CHECKLIST**CONTRACT TYPE:** Service Provider

SUBJECT: Project known as: Ongoing Bridge Maintenance and Repair Projects
 Between Lee County and VinMar Waterproofing & Concrete Restoration, LLC

Reference: Department Director approval: N/A

County Administrator approval: N/A

Reference: Board action approving contract/agreement

Board Date: Agenda Item No.:

The subject contract is forwarded herewith for review and/or endorsements:

(1) **By the Director of:** Routed by Procurement

Project Sponsoring Department

Recommendation to execute

Not recommending execution for the following reason(s):

Date received:

Date returned/forwarded:

Signed:

(2) **By Procurement Management:**

X Recommending execution

Not recommending execution for the following reason(s):

Procurement Contract Reviewed by:

Date:

Date received:

Date returned/forwarded:

1-17-19

Signed:

Jennifer L Brewer-Dano

(3) **By the County Attorney:**

1/ Recommending execution

Not recommending execution for the following reason(s)

Date received:

1/18/19

Date returned/forwarded:

1/19/19

Signed:

J.L. Lira

(4) **Procurement Management**

Jennifer Brewer-Dano

County Manager Designation Approval

Authority is hereby delegated to Mary Tucker to execute the following documents:

Solicitation No./Name	B160633DKR Ongoing Bridge Maintenance and Repair Projects
Vendor Name	VinMar Waterproofing & Concrete Restoration, LLC
Document Type	First Amendment
Amount	N/A
Reason for Amendment	Modify Notice Procedures and Increase Bond Threshold

Approved: _____

Date: _____

1/28/19

QA
1-9-19

Blue Sheet No. 20170139	Lee County Board Of County Commissioners Agenda Item Report Meeting Date: 4/4/2017	Item No. C16
-----------------------------------	---	---------------------

TITLE:

Award contracts for bridge maintenance and repairs.

ACTION REQUESTED:

A. Award Invitation to Bid No. B160633DKR, Bridge Maintenance and Repairs, to the following five vendors for use on an as needed basis for bridge maintenance and repair services, at the unit prices provided in the attached contracts, for a period of one year, as approved in the department's annual adopted budget: Southern Road and Bridge, LLC; CSJ of SWFL, Inc.; Proshot Concrete, Inc.; Coastal Gunitite Construction Company; and VinMar Waterproofing & Concrete Restoration, LLC.

B. Authorize the Chair to execute the contract documents on behalf of the Board of County Commissioners.

C. Grant the Director of Procurement Management the authority to renegotiate and execute renewals of these contracts, with County Administration approval, for up to three additional one-year periods, under the same terms and conditions, as approved in the department's annual adopted budget and if doing so is in the best interest of Lee County.

FUNDING:

\$750,000 (estimated yearly expenditure), Gas Taxes, Included in Budget

Funding for this work will come from various accounts within DOT. The majority of projects that will be done with this contract are funded from a Major Maintenance Project –Master Bridge. The Master Bridge account has a budget of \$439,000 in FY 16/17. DOT will also utilize this contract for various bridge repairs that may be needed on the County's three toll bridges using the tolls budget.

Fund – Transportation Capital Improvement/Gas Taxes and Toll Revenue; Program – Major Maintenance 40571430700

WHAT ACTION ACCOMPLISHES:

Awards Invitation to Bid No. B160633DKR Bridge Maintenance and Repairs to five vendors for use on an as needed basis for bridge maintenance and repair projects throughout the County. These contracts will be used for services including, but not limited to, asphalt repair, cement work, pilings repair, grinding bridge decks, and diving.

MANAGEMENT RECOMMENDATION:

Approve

Requirement/Purpose: (specify)	Request Initiated
<input type="checkbox"/> Statute <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Admin Code <input type="checkbox"/> Other	Commissioner: All Department: TRANSPORTATION Division: Operations By: Randy Cerchie
Background:	

Required Review:					
Randy Cerchie	Lori Borman	Peter Winton	Mary Tucker	Ashley D. Fesperman	Doug Meurer
TRANSPORTATION	Budget Analyst	Budget Services	Purchasing	County Attorney	County Manager

Procurement Management obtained bids for bridge maintenance and repair services to fulfill Lee County's need. On the bidding deadline of January 25, 2017, Procurement Management received six bids. The following five contractors are being recommended for award: Southern Road and Bridge, LLC; CSJ of SWFL, Inc.; Proshot Concrete, Inc.; Coastal Gunite Construction Company; and VinMar Waterproofing & Concrete Restoration, LLC.

Individual projects may be awarded, and authorized via Supplemental Task Authorizations, to any of the firms approved by the Board under this solicitation. Award for individual projects shall be made as follows: 1) Any project/task with a total cost of \$50,000 or less may be awarded to the firm able to meet the required project schedule with the lowest unit prices; 2) Any project/task with a total cost greater than \$50,000, but less than \$500,000, must be quoted by a minimum of three of the awarded firms, and award of the project shall be made to the firm able to meet the required project schedule with the lowest quoted price. Quoted prices may not exceed the unit prices provided in the master contracts, but may be quoted lower. No projects with a cost of \$500,000 or more may be awarded under this solicitation.

Attachments:

- 1) Bid Tabulation
- 2) Notice of Intended Decision
- 3) Proposed Contract-Southern Road and Bridge, LLC
- 4) Proposed Contract-CSJ of SWFL, Inc.
- 5) Proposed Contract-Proshot Concrete, Inc.
- 6) Proposed Contract-Coastal Gunite Construction Company
- 7) Proposed Contract-VinMar Waterproofing & Concrete Restoration, LLC