

THIRD AMENDMENT OF PURCHASE ORDER  
ACKNOWLEDGEMENT AGREEMENT

THIS THIRD AMENDMENT OF THE PURCHASE ORDER ACKNOWLEDGMENT AGREEMENT made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Matheson Tri-Gas, Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into a Purchase Order Acknowledgement Agreement for the purchase of carbon dioxide through Solicitation B-150385 with Vendor on the 1<sup>st</sup> day of September, 2015 ("Agreement"); and,

WHEREAS, the Parties mutually agree to increase the rate for the purchase of carbon dioxide from the Vendor; and,

WHEREAS, the Parties mutually agree that the price increase will begin on the 22<sup>nd</sup> day of September, 2020; and,

WHEREAS, the Parties desire to modify the Agreement pursuant to Article A.6. Additional Standard Terms And Conditions and Article A.7. 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 "Product Price for Carbon Dioxide" as listed in Article A.9. Other of the Agreement shall be \$214.20 per ton.

[The remainder of this page intentionally left blank.]

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

DATED this 23 day of July, 2020 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 16th day of June, 2020 by Matheson Tri-Gas, Inc.

ATTEST:

BY: 

Authorized Signature



(Witness)

Andrew Gregory

Authorized Signature Printed Name

Director Product Management

Authorized Signature Title

CORPORATE SEAL: