

FIRST AMENDMENT TO AGREEMENT FOR FENCING SERVICES FOR LEE COUNTY

THIS FIRST AMENDMENT TO AGREEMENT FOR FENCING SERVICES FOR LEE COUNTY, made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Smith Fence Co. of Fort Myers, Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement for fencing services, through Solicitation RFP160553DKR with Vendor on the 11th day of December, 2017 ("Agreement"); and,

WHEREAS, the Parties desire to modify the project award procedures in the Exhibit A Scope of Services and utilize solely Purchase Orders and not Supplemental Task Authorizations for this Agreement; and,

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

WHEREAS, the Parties desire to modify 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. The Parties agree that the entirety of the Exhibit A Scope of Services shall be removed and superseded by the following:

"Contractor shall provide fencing services in accordance with the Solicitation and Purchase Orders issued under this Agreement, if any.

Award of Project

Individual projects may be awarded, and authorized via a Purchase Order, to any of the firms approved by the Board of County Commissioners under the Solicitation. Award shall be made as follows:

- Any project/task with a total cost of \$25,000.00 or less may be awarded via a purchase order to any firm holding a valid contract under this bid to meet the required project schedule.
- Any project/task with a total cost of \$25,000.01, but less than \$200,000.00 shall be quoted by a minimum of three (3) of the approved firms holding a valid contract under Solicitation No. RFP160553DKR and awarded via a Purchase Order.

Performance of Work Under This Agreement

All work shall be provided and performed in accordance with the Technical Specifications of the Solicitation and as further described in any Purchase Order issued under this Agreement.”

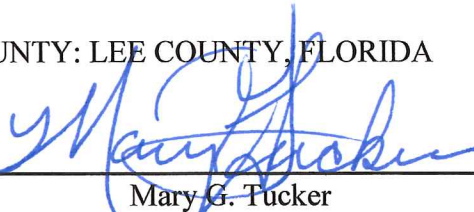
2. The Parties agree that all uses of the term “Supplemental Task Authorization” throughout the Agreement and the corresponding exhibits shall be superseded by the term “Purchase Order.”
3. The Parties agree that the term “\$100,000.00” in Exhibit C - Performance and Payment Bonds shall be superseded by “\$200,000.00.”

[Remainder of this page intentionally left blank.]

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

DATED this 25 day of January, 2019 by the Lee County Board of County
Commissioners.

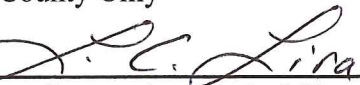
COUNTY: LEE COUNTY, FLORIDA

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 28th day of December, 2018 by Smith Fence Co. of Fort Myers, Inc.

ATTEST:

BY: 

Authorized Signature


(Witness)

Keith P Carpenter

Authorized Signature Printed Name

President

Authorized Signature Title

CORPORATE SEAL: