

**CONTRACT REVIEW CHECKLIST**

**CONTRACT TYPE:** Other: please specify CONCESSIONS

**SUBJECT:** Project known as: Fort Myers Pier Concessions at Lynn Hall Regional Park  
 Between Lee County and Rudy's Treasure Chest

**Reference:** Board action approving contract/agreement

Board Date: N/A Agenda Item No.: N/A

**Please sign the attached documents on appropriate signature lines. When complete, please send entire packet to the next Department on the numbered list below. Please return to Procurement Management when fully completed.**

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:**

☒ Recommending execution

Not recommending execution for the following reason(s):

Procurement Contract Reviewed by: Contracts Date: 7/17/19

Date received: 9/26/19 Date returned/forwarded: 9/27/19

Signed: 

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

☒ Recommending execution

Not recommending execution for the following reason(s):

Date received: 9-30-19 Date returned/forwarded: 10-1-19

Signed: 

(4) **Department Director** Parks and Recreation – Jess Lavender

(5) **Procurement Management** Daniel Goggin

2019 SEP 30 AM 9:32  
 RECEIVED BY  
 LEE CO. ATTORNEY

FIRST AMENDMENT OF THE PURCHASING AGREEMENT FOR THE  
FORT MYERS PIER CONCESSIONS AT LYNN HALL REGIONAL PARK

THIS FIRST AMENDMENT OF THE PURCHASING AGREEMENT FOR THE FORT MYERS PIER CONCESSIONS AT LYNN HALL REGIONAL PARK 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 Rudy's Treasure Chest Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement to lease concession services to the Vendor for the Fort Myers pier, through Solicitation No. IW120123, with Vendor on the 1<sup>st</sup> day of May, 2012 ("Agreement"); and,

WHEREAS, after the execution of the Agreement the County desired to reduce the amount of the rent being paid by Vendor for leasing of the concession services in exchange for the Vendor permitting the County to install a video camera on the licensed premises; and,

WHEREAS, pursuant to Article 11, MODIFICATION, of the Agreement, County and Vendor desire to enter into this First Amendment to reduce the rent amount by \$10.00 per month.

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

1. The annual contract sum, as described in Article 2 of the Agreement will be superseded by the following:

\$2,640.00 per month x 12 months = Total Annual Rent of \$31,680.00

[Remainder of 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 2<sup>nd</sup> day of October, 2019 by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

BY: \_\_\_\_\_

Jesse Lavender

Director of Parks and Recreation

APPROVED as to Form for the Reliance of  
Lee County Only

BY: \_\_\_\_\_

L. Chuck Lima  
County Attorney's Office

DATED this 12 day of August, 2019 by Rudy's Treasure Chest Inc.

ATTEST:

BY: \_\_\_\_\_

Authorized Signature

Sally Scanlon  
(Witness)

John Besonko

Authorized Signature Printed Name

Owner

Authorized Signature Title

CORPORATE SEAL: