

## SECOND AMENDMENT OF AGREEMENT FOR LUBRICANT PRODUCTS

THIS SECOND AMENDMENT OF THE AGREEMENT FOR LUBRICANT PRODUCTS, is made by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Howell Oil Company ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement for the purchase of lubricant products through Solicitation B170172TJM with Vendor on the 11<sup>th</sup> day of October, 2017 ("Agreement"); and,

WHEREAS, it was discovered after the full execution of the Agreement that the County requires additional lubricant products not currently provided for by the Agreement; and,

WHEREAS, the vendor status was erroneously modified via the previous amendment to this Agreement; and,

WHEREAS, the Parties desire to modify the Agreement pursuant to Article XV. Miscellaneous of the Agreement to correct this error and add additional lubricant products.

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

1. The Parties agree that the vendor status from the original Agreement and the Notice of Intended Decision Bid Action posted June 2, 2017 shall control the performance of this Agreement and any and all conflicting terms regarding vendor status from previous amendments shall be of no force or effect.
2. The following lubricants and lubricant pricing shall be added as Category 6: Hydraulic Fluid table in Exhibit B of the Agreement:

CATEGORY 6: HYDRAULIC FLUID			
ITEM	DESCRIPTION	UNIT OF MEASURE	UNIT COST
1	Tractor Hydraulic Fluid – Deliver in 5 gal. pail	Gal.	\$5.95

2	Hydraulic Oil – AW – ISO 68-Deliver in 5 gal. pail	Gal.	\$5.60
3	Hydraulic Oil – AW – ISO 68 – Deliver in 55 gal. drums	Drum	\$264.00
4	Hydraulic Oil – AW – ISO 32 – Deliver in 5 ga. pail	Gal.	\$5.60
5	Hydraulic Oil – 10 W (TO-4 10wt Drive Train Fluid) – Deliver in 5 gal. pail	Gal.	\$10.95
6	Universal Tractor Hydraulic Fluid (Dynatrans MP)- delivered in 5 gallon pails	Gal.	\$6.53

[The remainder of this page intentionally left blank.]

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

DATED this 5 day of May, 2019 by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

BY: Mary G. Tucker

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: Kevin Chuck Lira

County Attorney's Office

DATED this 19th day of April, 2019 by Howell Oil Company

ATTEST:

BY: Jared Howell

Authorized Signature

[Signature]

(Witness)

Jared Howell

Authorized Signature Printed Name

V.P. Sales

Authorized Signature Title

CORPORATE SEAL:

