

FIRST AMENDMENT OF THE AGREEMENT FOR
OLGA WTP SLUDGE REMOVAL AND DISPOSAL

THIS FIRST AMENDMENT OF THE AGREEMENT FOR OLGA WTP SLUDGE REMOVAL AND DISPOSAL 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 Vapor Industries, LLC ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement to purchase services for hauling and disposal of liquid alum residuals at the Olga Water Treatment Plant through Solicitation No. B190209ANB with Vendor on the 3rdth day of September, 2019 ("Agreement"); and,

WHEREAS, it was discovered after the execution of the Agreement that it would be in the best interest of the County to require that renewals of the Agreement must be based upon written approval of both Parties; and,

WHEREAS, pursuant to Article XVI. Miscellaneous of the Agreement, the Parties desire to modify Article II. Term and Delivery of the Vendor to require that any renewals of the Agreement must be based upon written approval of both Parties.

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

1. The Parties agree that the Article II. Term and Delivery shall be superseded by:

"A. This Agreement shall commence immediately upon the effective date and shall continue for one (1) year with an option for three (3) additional one (1) year renewals, upon mutual written agreement of both parties. The effective date shall be the date the Lee County Board of County Commissioners awarded the Solicitation to the Vendor.

B. A purchase order must be issued by the County before commencement of any work or purchase of any goods related to this Agreement."

[The 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 16 day of January, 2019²⁰²¹ by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

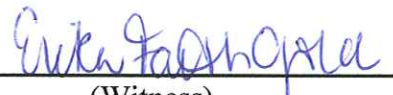
BY: 
Mary G. Tucker
Director of Procurement Management, on behalf of the Board of County Commissioners

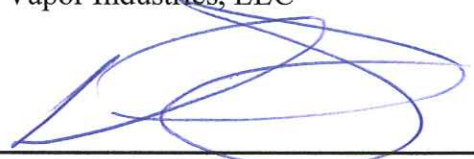
APPROVED as to Form for the Reliance of Lee County Only

BY: 
County Attorney's Office

DATED this 16 day of December, 2019 by Vapor Industries, LLC

ATTEST: 


(Witness)

BY: 
Authorized Signature

Devin Gold
Authorized Signature Printed Name

President
Authorized Signature Title

CORPORATE SEAL:

