

FOURTH AMENDMENT OF THE AGREEMENT FOR
PURCHASE & DELIVERY OF BOTTLED WATER - ANNUAL

THIS FOURTH AMENDMENT OF THE AGREEMENT FOR PURCHASE & DELIVERY OF BOTTLED WATER - ANNUAL, made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and DS Services of America, Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County executed an Agreement for the purchase of the supply and delivery of bottled water, including water-dispensing equipment, through Solicitation B200106DWJ with Vendor on the 27th day of April, 2020 ("Agreement");

WHEREAS, the Parties mutually agree to increase the price for the purchase of the supply and delivery of bottled water, including water-dispensing equipment, from the Vendor; and,

WHEREAS, the Parties mutually agree that the price increase shall go into effect starting April 21 2023; and,

WHEREAS, after the execution of the Agreement the Vendor advised that inventory for Item 2: Purified 1 Gallon Bottled Water, offered at 6 per Case, will soon be depleted, and desires to add Item 15: Purified 1 Gallon Bottled Water, offered at 3 per Case, to replace it; and,

WHEREAS, the Parties desire to modify the aforementioned terms of the Agreement, to increase the price for the purchase of the supply and delivery of bottled water and add Item 15: Purified 1 Gallon Bottled Water, offered at 3 per Case, pursuant to Article XVI. 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, effective April 21, 2023, the following Fee Schedule shall supersede the existing Fee Schedule in Exhibit B of the Agreement:

**EXHIBIT B
FEE SCHEDULE**

<i>Bottled Water Services</i>			
Item	Description	Unit of Measure	Unit Price
1	Purified and Distilled 5 Gallon Bottled Water (Price per 5 Gallon Bottle)	Each	\$4.29
2	Purified 1 Gallon Bottled Water - 6 per Case (Price per Case)	Case	\$7.50
3	Spring 5 Gallon Bottled Water (Price per 5 Gallon Bottle)	Each	\$4.50
4	Distilled, Deionized 5 Gallon Bottled Water (Price per 5 Gallon Bottle)	Each	\$4.29
5	Purified, Distilled, and Spring 3 Gallon Bottled Water (Price per 3 Gallon Bottle)	Each	\$4.29
6	Top Load Water Dispenser Monthly Rental - Hot & Cold (Price per Dispenser)	Each	\$2.49
7	Bottom Load Water Dispenser Monthly Rental - Hot & Cold (Price per Dispenser)	Each	\$2.49
8	Cone Cup - 200 Cups per Package (Price per Package)	Package	\$3.65
9	Flat Bottom Cup - 50 Cups per Package (Price per Package)	Package	\$3.19
10	16.9 oz. (.5 liter) Purified, Spring, and Distilled Bottled Water - 24 per Case (Price per Case)	Case	\$5.75
11	16.9 oz. (.5 liter) Purified, Spring, and Distilled Bottled Water - 24 per Case, Packaged 84 Cases of 24 Bottles per Pallet (Price per Pallet)	Pallet	\$483.00
12	Tabletop Water Dispenser Monthly Rental - Hot & Cold (Price per Dispenser)	Each	\$2.49
13	Hand Pump Container Monthly Rental (Price per Dispenser)	Each	\$15.00
14	Bottle Deposit Fee (Price per 3 or 5 Gallon Bottle)	Each	\$6.00
15	Purified 1 Gallon Bottled Water - 3 per Case (Price per Case) (Effective once item 2 inventory is depleted)	Case	\$3.75

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

DATED this 10 day of February, 2023 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

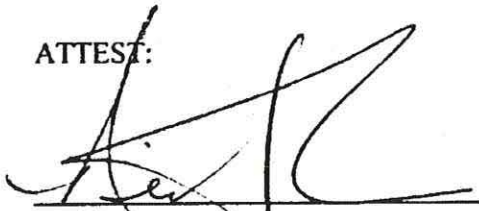
APPROVED as to Form for the Reliance of
Lee County Only

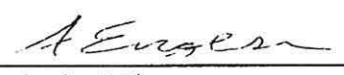
BY: 

County Attorney's Office

DATED this 12 day of January, 2023 by DS Services of America, Inc.

ATTEST:


(Witness)

BY: 

Authorized Signature

Andrew English

Authorized Signature Printed Name

VP, Sales

Authorized Signature Title

CORPORATE SEAL: