

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

THIS FIRST 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 27<sup>th</sup> day of April, 2020 ("Agreement");

WHEREAS, after the execution of the Agreement, it was discovered that it would be in the best interest of the County to make changes to the Exhibit B Fee Schedule to modify a specific product item description; and,

WHEREAS, the County and Vendor desire to enter into this First Amendment to modify the Exhibit B. Fee Schedule to allow for the change to the product item description; and,

WHEREAS, the Parties desire to modify the Agreement 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 the following Fee Schedule shall supersede the existing Fee Schedule in Exhibit B of the Agreement:

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**EXHIBIT B  
FEE SCHEDULE**

<i>Bottle Water Services</i>			
<b>Item</b>	<b>Description</b>	<b>Unit of Measure</b>	<b>Unit Price</b>
1	Purified and Distilled 5 Gallon Bottled Water (Price per 5 Gallon Bottle)	Each	\$3.75
2	Spring 5 Gallon Bottled Water (Price per 5 Gallon Bottle)	Each	\$4.00
3	Distilled, Deionized 5 Gallon Bottled Water (Price per 5 Gallon Bottle)	Each	\$3.75
4	Purified, Distilled, and Spring 3 Gallon Bottled Water (Price per 3 Gallon Bottle)	Each	\$3.75
5	Water Dispenser Monthly Rental - Hot & Cold (Price per Dispenser)	Each	\$1.50
6	Cone Cup - 200 Cups per Package (Price per Package)	Package	\$3.65
7	Flat Bottom Cup - 50 Cups per Package (Price per Package)	Package	\$3.19
8	16.9 oz. (.5 liter) Purified, Spring, and Distilled Bottled Water - 24 per Case (Price per Case)	Case	\$5.25
9	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	\$441.00
10	Tabletop Water Dispenser Monthly Rental - Hot & Cold (Price per Dispenser)	Each	\$1.50
11	Hand Pump Container Monthly Rental (Price per Dispenser)	Each	\$15.00
12	Bottle Deposit Fee (Price per 3 or 5 Gallon Bottle)	Each	\$6.00

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


DATED this 19 day of June, 2020 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

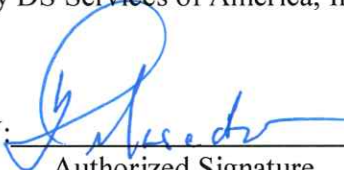
APPROVED as to Form for the Reliance of Lee County Only

BY:   
County Attorney's Office

DATED this 27 day of May, 2020 by DS Services of America, Inc.

ATTEST:

  
(Witness)  
Shirey Hunnings

BY:   
Authorized Signature

David Muscato  
Authorized Signature Printed Name

President  
Authorized Signature Title

CORPORATE SEAL: