

FIRST AMENDMENT OF THE AGREEMENT FOR  
CUSTODIAL SERVICES FOR LEE COUNTY NORTH ZONE

THIS FIRST AMENDMENT OF THE AGREEMENT FOR CUSTODIAL SERVICES FOR LEE COUNTY NORTH ZONE, made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and American Facility Services, Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement for the purchase of custodial services for Lee County North Zone through Solicitation No. RFP180120MRH with Vendor on the 4<sup>th</sup> day of September 2018 ("Agreement"); and,

WHEREAS, it was discovered after the execution of the Agreement that it would be in the best interest of the County to verify that the Vendor is complying with statutory background screening requirements; and,

WHEREAS, pursuant to Article XIV. Miscellaneous of the Agreement, the Parties desire to modify Article VIII. Responsibilities of the Vendor to require the Vendor to execute the Vendor Background Screening Affidavit.

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 VIII. Responsibilities of the Vendor shall be supplemented by:

"F. The Vendor shall comply with the Vendor Background Screening Affidavit attached hereto and incorporated herein as Exhibit D."

2. The Parties agree that Exhibit D below shall supplement the Agreement and be added as "Exhibit D – Vendor Background Screening Affidavit."

[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 21 day of August, 2019 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 12th day of August, 2019 by American Facility Services, Inc.

ATTEST:

BY: 

Authorized Signature

  
(Witness)

Kevin McCann

Authorized Signature Printed Name

President

Authorized Signature Title

CORPORATE SEAL:



**EXHIBIT D**

**VENDOR BACKGROUND SCREENING AFFIDAVIT**



**VENDOR BACKGROUND  
SCREENING AFFIDAVIT**

Florida Statutes Chapter 435 governs required background screenings for any employees, contractors, subcontractors, or agents of the Vendor who will have contact with any vulnerable person, as defined by statute, or who otherwise are required to undergo a Level 1 or Level 2 background screening in accordance with Florida law.

The Vendor is responsible for ensuring that such required background screenings are conducted in accordance with Florida Statutes Chapter 435. Documentation of such completed background screenings must be maintained for a period of no less than five (5) years and are subject to audit by Lee County at any time during such five (5) year period.

**Under penalty of perjury, I declare that I have read and understand the requirements stated above, and that all required background screenings shall be conducted in accordance with this affidavit.** I further understand that there may be additional local, state, and federal regulations that may require background screening, and that the Vendor will be solely responsible for complying with such legal requirements. Furthermore, the Vendor shall indemnify and hold Lee County harmless from any and all claims or actions resulting from failure to comply with this affidavit.

Date: 8/12/19

STATE OF GEORGIA  
COUNTY OF FORSYTH

  
Signature

Kevin McCann, President  
Name/Title

On the date set forth above, the foregoing instrument was sworn to (or affirmed) and subscribed before me by the above-named person and in their stated capacity, and is either personally known to me or who has produce the following as identification: \_\_\_\_\_

[Stamp/seal required]

  
Signature, Notary Public

ANDREA LORRAINE NUGENT  
NOTARY PUBLIC  
Fulton County  
State of Georgia  
My Commission Expires 10-29-2019