FIRST AMENDMENT TO AGREEMENT FOR MAINTENANCE SERVICES (ELEVATED WATER TANKS MAINTENANCE)

THIS FIRST AMENDMENT to the Agreement for Maintenance Services is made as of ______, by and between the **City of Lake Worth Beach**, Florida, a Florida municipal corporation ("CITY") and **Utility Service Co., Inc.,** a Corporation authorized to do business in the State of Florida ("CONTRACTOR").

WHEREAS, on December 12, 2022 after a competitive selection process under the Request for Proposals #22-202, the CITY and CONTRACTOR entered into a Maintenance Services Agreement for CONTRACTOR to provide the City with annual inspection, painting, and maintenance service on elevated potable water storage tanks in accordance with Florida Administrative Code Chapter 62-550 ("RFP"); and

WHEREAS, the CITY has requested and the CONTRACTOR has submitted a proposal to provide the CITY with additional Scope of Work to add the more design and the City of Lake Worth Beach Logo on the Local Plant South Tank; and

WHEREAS, the CITY finds the proposal acceptable and in the best interest of the CITY; and

WHEREAS, the CITY and the CONTRACTOR desire to amend the agreement to add additional services as described in this Amendment and Exhibit "A" which is attached hereto and incorporated herein; and

WHEREAS, the CITY finds amending the Agreement as set forth herein is in the best interest of the CITY and serves a valid public purpose.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the sufficiency of which is hereby acknowledged by each party hereto, the CITY and the CONTRACTOR agree to amend the Agreement, as follows:

1. **Recitals.** The above recitals are incorporated herein as true and correct statements.

2. Scope of Services. The parties agree that the scope of services is amended to include the additional services described as Exterior Renovation - Logo option 1B. The price includes all material and labor to provide new logo. Logo will be applied with Tnemec Series 700 on two sides of the Local Plant South Tank located at 301 College Street, Lake Worth Beach, FL 33460 as per the Exterior Design as detailed in **Exhibit "A**".

3. **Compensation to Contractor**. The compensation to be paid by the CITY to the CONTRACTOR for the additional services as described in this Amendment shall not exceed Ninety Thousand Four Hundred Twenty-Four dollars (\$90,424.00).

4. **Entire Contract.** The CITY and the CONTRACTOR agree that the Agreement (as previously amended) and this First Amendment (including all exhibits hereto) set forth the entire contract between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in the Agreement (as

previously amended) and this First Amendment may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto. Except for the provisions of the Agreement as amended by this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

5. **Counterparts.** This First Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. Either or both parties may sign this First Amendment via electronically or digitally and send the same via facsimile or email and such signature is as valid as the original signature of such party.

IN WITNESS WHEREOF, the parties hereto have made and executed this First Amendment to the Agreement for Maintenance Services on the day and year first above written.

CITY OF LAKE WORTH BEACH, FLORIDA

ATTEST:

By:

By:

Melissa Ann Coyne, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

COUNTY OF PALM-BEACH

By:

Betty Resch, Mayor

APPROVED FOR FINANCIAL SUFFICIENCY

Glen J. Torcivia, City Attorney SEAL [Corporate Seal] [Corporate Seal] [Corporate Seal] [Corporate Seal] [Corporate Seal]

HOUSTON

By: Yannick Ngendahayo, Financial Services Director

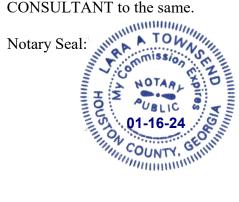
CONTRACTOR: UTILITY SERVICE CO., INC.

Bv: Print Name: Edward Faust Title: SVP, Sales, Marketing, & Prod Mgt.

THE FOREGOING instrument was acknowledged before me by means of **E**physical presence or \Box online notarization on this **12th** day of **May** 2023, by as the SVP, Sales, Marketing, & Prod Mgt. [tit]e] of Utility Service Co., Edward Faust Inc., a corporation authorized to do business in the State of Florida, who is personally known to me or-who-has-produced as-identification, and who did take an oath that he or she is duly authorized to execute the foregoing instrument and bind the CONSULTANT to the same.

)

)



Ka A. Joursend Notary Public Signature

EXHIBIT "A"

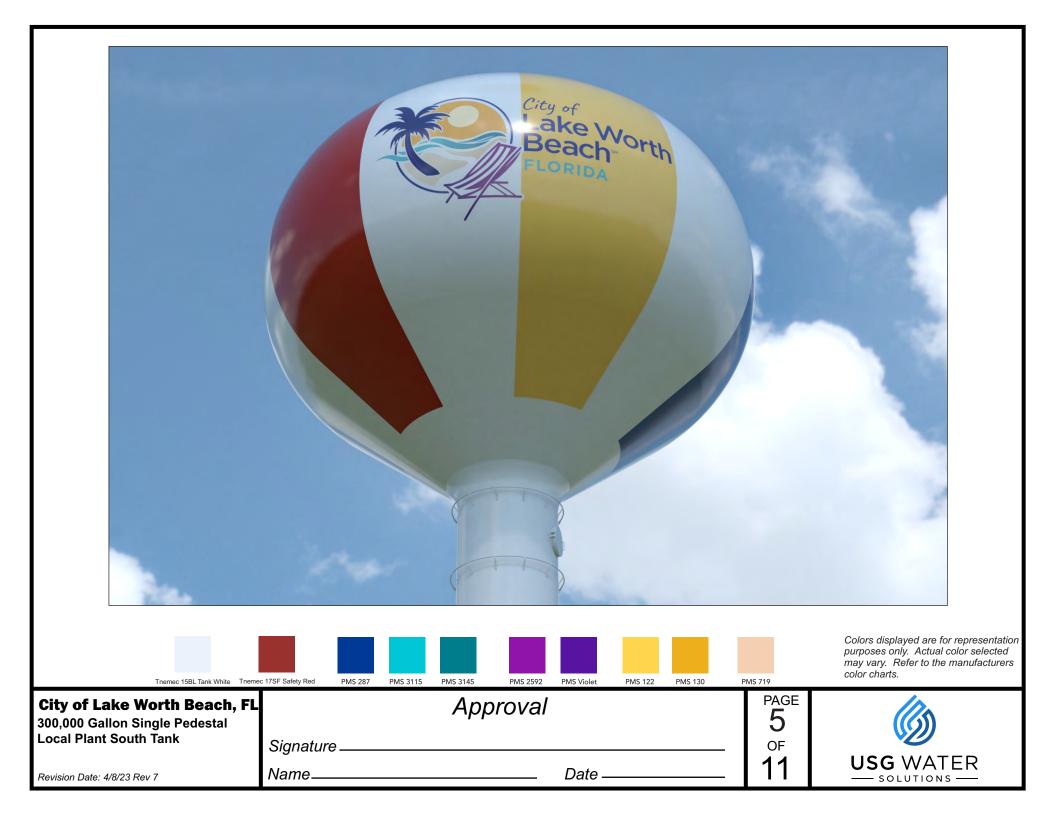
Exterior Renovation Design (11 pages)

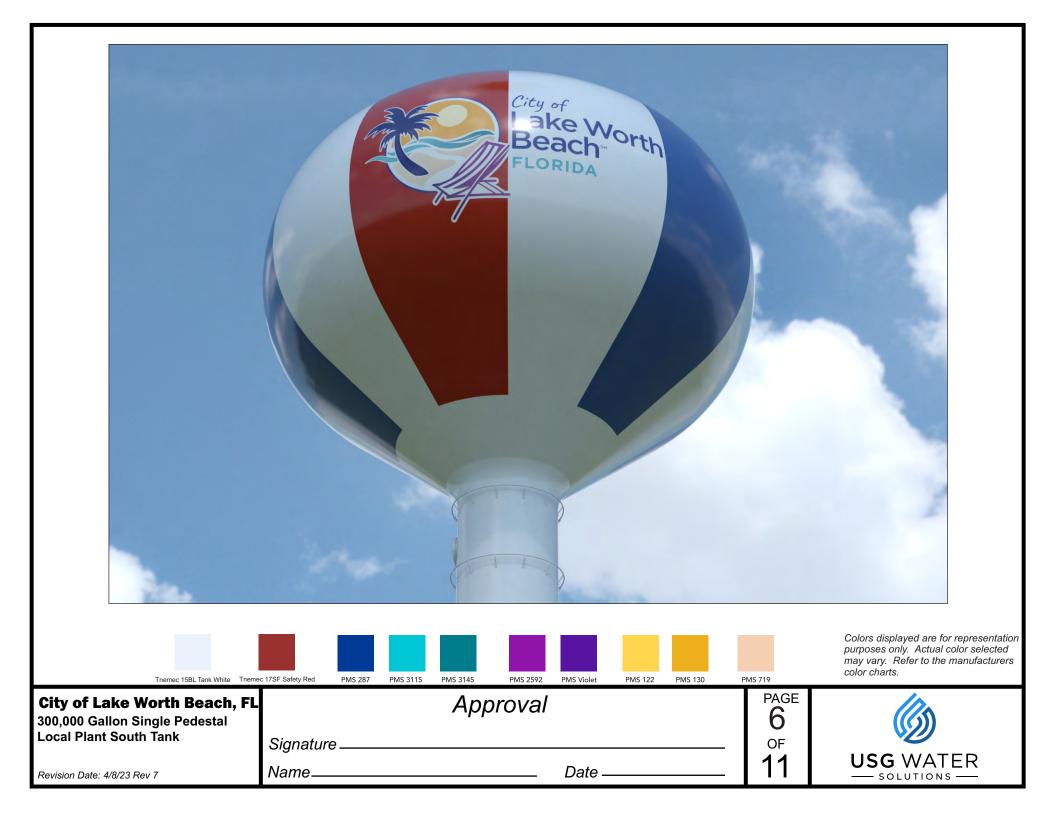
			ty of ake Worth each ORIDA		
Tnemec 15BL Tank White Tneme	2 17SF Safety Red PMS 287 PMS 3115	PMS 3145 PMS 2592	PMS Violet PMS 122 PMS 130	PMS 719	Colors displayed are for representation purposes only. Actual color selected may vary. Refer to the manufacturers color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank	Signature	Approval		PAGE 1 OF 11	USG WATER
Revision Date: 4/8/23 Rev 7	Name		Date	-	

			City of Lake W Beach FLORIDA	Vorth		
Tnemec 15BL Tank White Tneme	to 17SF Safety Red PMS 287	PMS 3115 PMS 3145	PMS 2592 PMS Violet	PMS 122 PMS 130	PMS 719	Colors displayed are for representation purposes only. Actual color selected may vary. Refer to the manufacturers color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank	Signature		proval		PAGE 2 OF	
Revision Date: 4/8/23 Rev 7	Name		Date		. 11	USG WATER

	Worth				
Tnemec 15BL Tank White Tnem	ec 17SF Safety Red PMS 287 PMS 3115	PMS 3145 PMS 2592	PMS Violet PMS 122 PMS 130	PMS 719	Colors displayed are for representation purposes only. Actual color selected may vary. Refer to the manufacturers color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank	Signature	Approval		PAGE 3 OF 11	USG WATER
Revision Date: 4/8/23 Rev 7	Name		Date	- ' '	

	le Worth ach ach ada					
Tnemec 15BL Tank White Tneme	tc 17SF Safety Red PMS 287 PM:	5 3115 PMS 3145	PMS 2592 PMS Violet	PMS 122 PMS 130	PMS 719	Colors displayed are for representation purposes only. Actual color selected may vary. Refer to the manufacturers color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank Revision Date: 4/8/23 Rev 7	Signature		roval Date_		PAGE 4 OF 11	USG WATER





Tnemec 15BL Tank White Tneme	c 17SF Safety Red PMS 287 PMS 3115	PMS 3145 PMS 2592	PMS Violet PMS 122 PMS 130) PMS 719	Colors displayed are for representation purposes only. Actual color selected may vary. Refer to the manufacturers color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank Revision Date: 4/8/23 Rev 7		Approval		PAGE 7 0F 11	USG WATER

Tnemec 15BL Tank White Tneme	2: 17SF Safety Red PMS 287 PMS 3115 PMS 3145 PMS 2592 PMS Violet PMS 122 PMS 130 PMS 71	Colors displayed are for representation purposes only. Actual color selected may vary. Refer to the manufacturers color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank <i>Revision Date: 4/8/23 Rev 7</i>	Signature	PAGE 8 OF 11 USG WATER SOLUTIONS

	<image/>		1	Colors displayed are for representation
Tnemec 15BL Tank White Tnemec			PMS 719	color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank	Signature		PAGE 9 OF 11	USG WATER
Revision Date: 4/8/23 Rev 7	Name	_ Date		

Tnemec 15BL Tank White Tneme	nc 17SF Safety Red PMS 287 PMS 3115 PMS 3145 PMS	5 2592 PMS Violet PMS 122 PMS 130	PMS 719	Colors displayed are for representation purposes only. Actual color selected may vary. Refer to the manufacturers color charts.
City of Lake Worth Beach, FL 300,000 Gallon Single Pedestal Local Plant South Tank <i>Revision Date: 4/8/23 Rev 7</i>			PAGE 10 OF 11	

				-ORI	DA	
Tnemec 15BL Tank White Tne	mec 17SF Safety Red PMS	287 PMS 3115 PMS	3145 PMS 2592 F	MS Violet PMS 122	PMS 130 PMS 719	Colors displayed are for representat purposes only. Actual color selected may vary. Refer to the manufacture color charts.
Tnemec 15BL Tank White Tre City of Lake Worth Beach, F 300,000 Gallon Single Pedestal Local Plant South Tank			Approval	MS Violet PMS 122	PMS 130 PMS 719 PAGI 11 OF 11	GE