

**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: _____
Betty Resch, Mayor

By: _____
Melissa Ann Coyne, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

APPROVED FOR FINANCIAL
SUFFICIENCY

By: _____
Glen J. Torcivia, City Attorney

By: _____
Yannick Ngendahayo, Financial Services Director

CONTRACTOR: UTILITY SERVICE CO., INC.

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



GEORGIA
~~STATE OF FLORIDA~~)
~~COUNTY OF PALM BEACH~~)
HOUSTON

THE FOREGOING instrument was acknowledged before me by means of physical presence or online notarization on this **12th** day of **May** 2023, by **Edward Faust**, as the **SVP, Sales, Marketing, & Prod Mgt.** [title] of **Utility Service Co., 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.

Notary Seal:



Lara A. Townsend
Notary Public Signature

EXHIBIT "A"

Exterior Renovation Design (11 pages)



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

Signature _____
 Name _____ Date _____

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300,000 Gallon Single Pedestal
Local Plant South Tank

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Name _____ Date _____

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USG WATER
 SOLUTIONS



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City of
Lake Worth
BeachSM
FLORIDA



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City of Lake Worth Beach, FL
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