

FIRST AMENDMENT OF THE ANNUAL AGREEMENT FOR CARBON DIOXIDE

THIS FIRST AMENDMENT OF THE ANNUAL AGREEMENT FOR CARBON DIOXIDE, is made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the state of Florida, hereinafter referred to as the “County,” and Matheson Tri-Gas, Inc., hereinafter referred to as the “Vendor.”

WHEREAS, the County entered into an Agreement for Carbon Dioxide, through Solicitation Number B240124CMR, with Vendor on the 22nd day of March, 2024 (“Agreement”); and,

WHEREAS, the Parties mutually agree to increase the price for the purchase of Carbon Dioxide from the Vendor; and,

WHEREAS, the Parties mutually agree that the price increase shall go into effect on March 20th, 2025; and,

WHEREAS, the Parties desire to modify the aforementioned terms of the Agreement, pursuant to Article XV. Miscellaneous of the Agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

- 1. Effective March 20th, 2025, the table in the Exhibit B. Fee Schedule shall be superseded by:

<i>Carbon Dioxide Annual Contract</i>			
<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>UNIT PRICE</u>
1	Carbon Dioxide	TON	\$439.00

B240124CMR
Purchase of Carbon Dioxide- Annual Contract
Matheson Tri-Gas, Inc. - Amendment No. 1

IN WITNESS WHEREOF, this First Amendment of the Agreement has been signed and sealed, in duplicate, by the respective parties hereto. Each individual signing this Agreement directly and expressly warrants that he/she has been given and has received and accepted authority to sign and execute the Agreement on behalf of the party for whom it is indicated he/she has signed, and further has been expressly given and received and accepted authority to enter into a binding agreement on behalf of such party with respect to the matters contained herein and as stated herein.

DATED 1/9/2025 | 2:53 PM EST by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

DocuSigned by:
Pamela Keyes
BY: 074300D8C15D4D3...
Pamela Keyes
Director, Public Utilities, on behalf of the
Board of County Commissioners

APPROVED as to Form for the Reliance of
Lee County Only

DocuSigned by:
Amanda L. Swindle
BY: EC9B5A5584DD473...
County Attorney's Office

DATED this 30th day of DECEMBER, 2024 by Matheson Tri-Gas, Inc

ATTEST:

BY: [Signature]
Authorized Signature

[Signature]
(Witness)

MICHAEL SKRIVAN
Authorized Signature Printed Name

VP-PRODUCT MANAGEMENT
Authorized Signature Title

CORPORATE SEAL: