

**FIRST AMENDMENT OF THE AGREEMENT FOR THE
PURCHASE AND SUPPLY OF MULCH – ANNUAL**

THIS FIRST AMENDMENT OF THE AGREEMENT FOR THE PURCHASE AND SUPPLY OF MULCH – ANNUAL is made and entered into by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Express Mulch Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement to purchase various types of mulch, pine straw, decorative shell, etc. through Solicitation No. B240126KCW with Vendor on the 18th day of April, 2024 ("Agreement "); and,

WHEREAS, after the execution of the agreement, it was determined that it would be in the best interest of the County to add an additional blown in mulch product to the Fee Schedule in Exhibit B of the Agreement; and,

WHEREAS, the Parties desire to modify the Agreement to add "Engineered Wood Fiber (EWF)" to the Fee Schedule in Exhibit B 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. The Parties agree that the following Fee Schedule shall supersede the existing Fee Schedule in Exhibit B of the Agreement:

<i>Express Mulch Inc.</i>			
<i>SECTION B: BLOWN MULCH</i>			
Item	Description	Unit of Measure	Unit Price
B-1	Blown - Flora Mulch	Cubic Yard	\$38.00
B-3	Blown - Brown Mulch	Cubic Yard	\$42.00
B-4	Blown - Red Mulch	Cubic Yard	\$42.00
B-5	Blown - Gold Mulch	Cubic Yard	\$42.00
B-6	Blown -Medium Rustic Pine Bark Nuggets	Cubic Yard	\$48.00
B-7	Blown – Engineered Wood Fiber	Cubic Yard	\$46.00

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

DATED this 5/30/2024 | 1:12 PM EDT by the Lee County Board of County
Commissioners.

COUNTY: LEE COUNTY, FLORIDA

DocuSigned by:
Mary G Tucker
BY: 770F0BDB59DA44D
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

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

DATED this 26 day of April, 2024 by Express Mulch Inc.

ATTEST:

BY: [Signature]
Authorized Signature

[Signature]
(Witness)

Evan Gorny
Authorized Signature Printed Name

President
Authorized Signature Title

CORPORATE SEAL: