# AMENDMENT TO AGREEMENT FOR ANNUAL COUNTY FACILITIES' HVAC MAINTENANCE WITH BROOKS BUILDING SOLUTIONS, INC. NO. (#)11751

THIS SECOND AMENDMENT ("Amendment") is made by and between Alachua County, Florida, a political subdivision and charter county of the State of Florida, by and through its Board of County Commissioners (the "County") and Brooks Building Solutions, Inc., a Florida Corporation which is authorized to do business in the State of Florida ("Contractor"), who are collectively referred to as the "Parties".

#### WITNESSETH:

WHEREAS, the County and Contractor previously entered into a Contractual Services Agreement dated 12/08/2020, for County Facilities' HVAC Annual Maintenance, identified by No. 11751 (the "Agreement") thereafter renewed the Term of the Agreement for a period of one year by entering into the first renewal option to the Agreement, dated 6/22/2021, (the "First Amendment"); and

WHEREAS, the County has elected its option to renew the term of the original Agreement to allow the Contractor to furnish the goods or service to Alachua County; and

WHEREAS, the Parties desires to amend the Agreement to extend the term and to do as otherwise provided herein.

NOW, THEREFORE, the County and Contractor agree to amend the Agreement as follows:

- A. Amendment. Sub-Section #1.1, of the Agreement titled "Term" is amended to read as follows:
  - 1.1. The County has elected to exercise its second option to renew the Term of the Agreement. Accordingly, the Term of this Agreement is renewed for the period of October 1, 2022 and continuing through September 30, 2023 (the "Second Renewal Option Term"), unless earlier terminated as provided herein. The County has the option of renewing this Agreement for one additional one-year period at the same terms and conditions outlined herein.
- B. Amendment. Table 2.1, of the Agreement is amended to add the following:

#### Table 2.1

Facility	Address
Agriculture Center Office and Auditorium	22712 W Newberry Road

- C. <u>Amendment</u>. Sub-Section #4.1, of the Agreement titled "Method of Payment" is amended to read as follows:
  - 4.1. For all services under this Agreement, the Contractor shall be paid an Annual Contract Price of Three Hundred Eighteen Thousand Three Hundred Ninety-Five Dollars and Zero Cents (\$318,395.00), for the second renewal term of the Agreement, allocated as set forth in Tables 4.2.1 and 4.2.2 below.
- D. <u>Amendment</u>. **Table 4.2.1**, of the Agreement is amended to add a location and amend the Totals for Facilities Management as follows:

#### **Table 4.2.1**

### Alerton DDC Controls - Facilities Management

Facility	<b>Monthly Cost</b>	<b>Annual Cost</b>
Agriculture Center Office and Auditorium	\$294.00	\$3,528.00
Subtotal for All Locations Managed by Facilities Dept.	\$8,262.09	\$99,145.08
Full Coverage Maintenance for Mechanical System and System	Alerton Building	Automation
Alachua County Administration Building	\$1,286.00	\$15,432.00
Total for Facilities Management	\$9,548.09	\$114,577.08

E. <u>Amendment</u>. **Table 4.2.3**, of the Agreement is amended to modify the Annual Grand Total for Multiple Facilities, as follows:

**Table 4.2.3** 

Total for Facilities Management	\$9,254.09	\$114,577.08
Total for Critical Facilities Management	\$16,984.83	\$203,818.00
Annual Grand Total	\$26,238.92	\$318,395.08

F. <u>Amendment</u>. **Table 2.1**, of Exhibit 1, Scope of Services titled "Alerton EMCS-DDC Controls" is amended to add the following:

Table 2.1.

Facility	Address
Agriculture Center Office and Auditorium	22712 W Newberry Road

- G. <u>Effective Date</u>. Upon and after full execution of this Amendment by the Parties, this Amendment shall be effective on October 1, 2022.
- H. <u>Original Agreement</u>. Unless expressly amended herein, all other terms and provisions of the original Agreement between the Parties, including all other line items in tables in the original Agreement and any prior amendments to the Agreement, shall be and remain in full force and effect. In the event any of the prior amendments to the Agreement conflict with this Amendment, the provisions of this Amendment shall prevail.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed on the day and year below written.

By: Creasonscies of Fem.		
Print: Tom McGui		
Title: Sales Mar	nager	
Date: 5/6/2022		

IF THE CONTRACTOR IS NOT A NATURAL PERSON, PLEASE PROVIDE A CERTIFICATE OF INCUMBENCY AND AUTHORITY, OR A CORPORATE RESOLUTION, LISTING THOSE AUTHORIZED TO EXECUTE AGREEMENTS ON BEHALF OF YOUR ORGANIZATION. IF ARE A NATURAL PERSON, THEN YOUR SIGNATURE MUST BE NOTARIZED.

ALACHUA COUNTY, FLORIDA

Board of County Commissioners

ATTEST

J.K. "Jess" Irby, Esq., Clerk (SEAL)

APPROVED AS TO FORM

Alachua County Attorney's Office

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Michelle Guidry

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mguidry@alachuacounty.us

**Envelopeld Stamping: Enabled** 

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tmcguire@brookssolutions.net

Sales Manager

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#### Signature

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Tom McGuire

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# **Carbon Copy Events**

Thomas (Jon) Rouse

trouse@alachuacounty.us

Contracts Supervisor

Alachua County Board of County Commissioners Security Level: Email, Account Authentication

(None)

**Electronic Record and Signature Disclosure:** Not Offered via DocuSign

Jaye Athy

jathy@alachuacounty.us

**Procurement Specialist** 

Alachua County Board of County Commissioners Security Level: Email, Account Authentication

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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	5/6/2022 10:22:39 AM
Completed	Security Checked	5/6/2022 10:22:41 AM
Payment Events	Status	Timestamps
Electronic Record and Signature	Disclosure	

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All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

# How to contact Alachua County:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: mguidry@alachuacounty.us

# To advise Alachua County of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at mguidry@alachuacounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to mguidry@alachuacounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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- You can print on paper this Electronic Record and Signature Disclosure, or save or send
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  reference and access; and
- Until or unless you notify Alachua County as described above, you consent to receive
  exclusively through electronic means all notices, disclosures, authorizations,
  acknowledgements, and other documents that are required to be provided or made
  available to you by Alachua County during the course of your relationship with Alachua
  County.

Bruses Chiusma Survivors, IM.

# CORPORATE RESOLUTION GRANTING SIGNING AUTHORITY AND AUTHORITY TO CONDUCT BUSINESS

I, HUGH NEET JEWEINS, certify that I am the Sole Member and
(Insert name of owner)
Manager of Brukes Britoine Sulvivers / Corporation (the "Corporation")
(insert name of incorporation)
Organized under the laws of the state of FLOREDA and that
the Sole Member of the Corporation did, at a meeting held on the 12 day of day of . 20 19, did hereby consent to, adopt, ratify, confirm and approve the following recitals and resolutions:
WHEREAS, the Corporation is a duly formed, validly existing corporation in good
standing under the laws of the State of Fhore Drag and is authorized to do
business in the State of Florida; and

WHEREAS, the undersigned is the Sole Member and Manager of the Corporation and hereby certifies that he or she owns 100% of the equity interest of the Corporation; and

WHEREAS, the Corporation desires to grant certain persons the authority to execute and enter into contracts and conduct business on behalf of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that any of the following officers and employees of the Corporation listed below are hereby authorized and empowered, acting along, to sign, execute and deliver any and all contracts and documents on behalf of the Corporation, and to

do and take such other actions, including but not limited to the approval and execution of contracts, purchase orders, amendments, change orders, invoices, and applications for payment, as in his or her judgment may be necessary, appropriate or desirable, in connection with or related to any bids, proposals, or contracts to, for or with to Alachua County, a charter county and political subdivision of the State of Florida:

NAME	TITLE
KEVINGERNELS	OFGENTIONS MANAUTINE
Tom McGuine	Spus MANAGER
KEITH JORDAN	ACCOUNT MARAGER

BE IT RESOLVED THAT, these resolutions shall continue in full force and effect, and may be relied upon by Alachua County, until express written notice of their rescission or modification has been received by the Purchasing Manager of Alachua County. Any revocation, modification or replacement of these resolutions must be accompanied by documentation satisfactory to the Purchasing Manager of Alachua County, establishing the authority for the changes.

[THIS SPACE WAS INTENTIONALLY LEFT BLANK]

above-named Corporation this day of the Corporation and that said meeting was held in accordance with state law and the Bylaws of the Corporation, and that the resolution is now in full force and effect without modification or rescission.

Sole Member and Manager of the Corporation

(Print Sole Member's Name)

COUNTY OF Duna

The foregoing instrument was acknowledged before me this 12th day of September 2019 by Ness Tenhos as Sole Member and Manager of Brooks Building Shallon as corporation, on behalf of the corporation. He/she is personally known to me or has produced a (state) driver's license no. as identification.

My Commission Expires:

Notary Public (Signature):

(Printed Name)

(AFFIX NOTARY SEAL)

NICHOLE ST. CLAIR
NICHOLE ST. CLAIR
State of Florids-Notery Public
Commission & GG 43414

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dmjohnson@alachuacounty.us

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Diara Johnson 9E797AC46778481...

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trouse@alachuacounty.us

Contracts Supervisor

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jathy@alachuacounty.us

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Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/6/2022 10:38:47 AM
Certified Delivered	Security Checked	5/9/2022 11:45:47 AM
Signing Complete	Security Checked	5/9/2022 11:48:18 AM
Completed	Security Checked	5/9/2022 11:48:19 AM
Payment Events	Status	Timestamps
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All notices and disclosures will be sent to you electronically

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  acknowledgements, and other documents that are required to be provided or made
  available to you by Alachua County during the course of your relationship with Alachua
  County.