

FIRST AMENDMENT TO AGREEMENT FOR DUMPSTER PAINTING AND REPAIR SERVICES

THIS FIRST AMENDMENT TO AGREEMENT FOR DUMPSTER PAINTING AND REPAIR SERVICES ("First Amendment") is entered into by and between **CITY OF OCALA**, a Florida municipal corporation ("City"), and **NORTH FLORIDA CONTAINER & TRUCK REPAIR, LLC**, a limited liability corporation duly organized and authorized to do business in the state of Florida (EIN: 45-4336283) ("Contractor").

WHEREAS, on November 23, 2020, City and North Florida Container & Truck Repair, LLC entered into an agreement for dumpster painting and repair services (the "Original Agreement"), City of Ocala Contract No.: PWD/200400, for a term of three years from November 18, 2020 through November 17, 2023; and

WHEREAS, City and Contractor now desire to amend the pricing that was set forth in Exhibit B – Price Proposal to the Original Agreement.

NOW THEREFORE, in consideration of each of the foregoing recitals and the following mutual covenants, conditions and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, City and Contractor agree as follows:

1. **RECITALS.** City and Contractor hereby represent and warrant that the Recitals set forth above are true and correct.
2. **INCORPORATION OF ORIGINAL AGREEMENT.** The Original Agreement between City and Contractor is hereby incorporated by reference as if set forth herein in its entirety and remains in full force and effect, except for those terms and conditions expressly amended by this First Amendment.
3. **AMENDMENT TO EXHIBIT B – PRICE PROPOSAL.** The document attached to the Original Agreement as Exhibit B – Price Proposal is hereby deleted and replaced, in its entirety, with the document attached to this First Amendment as **Exhibit B – Amended Price Proposal**.
4. **NOTICES.** All notices, certifications or communications required by this First Amendment shall be given in writing and shall be deemed delivered when personally served, or when received if by facsimile transmission with a confirming copy mailed by registered or certified mail, postage prepaid, return receipt requested. Notices can be concurrently delivered by email. All notices shall be addressed to the respective parties as follows:



If to Vendor:

North Florida Container & Truck Repair, LLC
Attention: Chuck Blanton
4240 SE 95th Street
Ocala, Florida 34480
Phone: 352-427-9970
E-mail: chuckblanton25@yahoo.com

If to City of Ocala:

Tiffany Kimball, Contracting Officer
110 SE Watula Avenue, 3rd Floor
Ocala, Florida 34471
Phone: 352-629-8366
Fax: 352-690-2025
E-mail: tkimball@ocalafl.org

Copy to:

Robert W. Batsel, Jr.
Gilligan, Gooding, Batsel, Anderson & Phelan, P.A.
1531 SE 36th Avenue
Ocala, Florida 34471
Phone: 352-867-7707
Fax: 352-867-0237
E-mail: rbatsel@ocalalaw.com

5. **EFFECT OF AGREEMENT.** In the event of any inconsistency between this First Amendment and a prior version of the Original Agreement, this First Amendment shall govern. Except as expressly set forth herein, the Original Agreement shall remain in full force and effect and is not amended or modified.
6. **COUNTERPARTS.** This First Amendment may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.
7. **ELECTRONIC SIGNATURE(S).** Contractor, if and by offering an electronic signature in any form whatsoever, will accept and agree to be bound by said electronic signature to all terms and conditions of this First Amendment. Further, a duplicate or copy of the First Amendment that contains a duplicated or non-original signature will be treated the same as an original, signed copy of this original First Amendment for all purposes.



8. **LEGAL AUTHORITY.** Each person signing this First Amendment on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment.

IN WITNESS WHEREOF, the parties have executed this First Amendment on 09 / 23 / 2021.

ATTEST:

CITY OF OCALA

Angel B. Jacobs

Ken Whitehead

Angel B. Jacobs
City Clerk

Ken Whitehead
Assistant City Manager

Approved as to form and legality:

**NORTH FLORIDA CONTAINER & TRUCK
REPAIR, LLC**

/s/ Robert W. Batsel, Jr.

By: *Chuck Blanton*

Robert W. Batsel, Jr.
City Attorney

North Florida Container and Truck Repair

Printed Name

Owner

Title

Exhibit B – Amended Price Proposal

Item	Description	Unit Price*
Painting (Outside of Dumpsters Only)		
1	Two (2) Cubic Yard Dumpster	\$40.00
2	Four (4) Cubic Yard Dumpster	\$55.00
3	Six (6) Cubic Yard Dumpster	\$76.00
4	Eight (8) Cubic Yard Dumpster	\$88.00
Dumpster Repairs		
5	Two (2) Cubic Yard Dumpster	\$290.00
6	Four (4) Cubic Yard Dumpster	\$320.00
7	Six (6) Cubic Yard Dumpster	\$419.00
8	Eight (8) Cubic Yard Dumpster	\$437.00

*Pricing includes all costs associated with painting and repairs. City will not pay additional fees for travel, pick up or return of dumpsters.

TITLE	FOR SIGNATURE - First Amendment - Agreement for Dumpster...
FILE NAME	DMR EDITS - First... (PWD-200400).pdf
DOCUMENT ID	84232070d653513b1be6c1e498a55bea15b9c35b
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History



SENT

09 / 21 / 2021

08:03:50 UTC-4

Sent for signature to Robert W. Batsel, Jr. (rbatsel@ocalalaw.com), North Florida Container and Truck Repair (chuckblanton25@yahoo.com), Ken Whitehead (kwhitehead@ocalafl.org) and Angel B. Jacobs (ajacobs@ocalafl.org) from drobinson@ocalafl.org
IP: 216.255.240.104



VIEWED

09 / 22 / 2021

22:51:52 UTC-4

Viewed by Robert W. Batsel, Jr. (rbatsel@ocalalaw.com)
IP: 216.255.247.51



SIGNED

09 / 22 / 2021

22:52:45 UTC-4

Signed by Robert W. Batsel, Jr. (rbatsel@ocalalaw.com)
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VIEWED

09 / 23 / 2021

09:19:11 UTC-4

Viewed by North Florida Container and Truck Repair (chuckblanton25@yahoo.com)
IP: 174.211.192.35

TITLE	FOR SIGNATURE - First Amendment - Agreement for Dumpster...
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DOCUMENT ID	84232070d653513b1be6c1e498a55bea15b9c35b
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History



09 / 23 / 2021
09:20:44 UTC-4

Signed by North Florida Container and Truck Repair
(chuckblanton25@yahoo.com)
IP: 174.211.192.35



09 / 23 / 2021
09:59:31 UTC-4

Viewed by Ken Whitehead (kwhitehead@ocalafl.org)
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09 / 23 / 2021
10:00:39 UTC-4

Signed by Ken Whitehead (kwhitehead@ocalafl.org)
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09 / 23 / 2021
10:56:07 UTC-4

Viewed by Angel B. Jacobs (ajacobs@ocalafl.org)
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09 / 23 / 2021
10:56:17 UTC-4

Signed by Angel B. Jacobs (ajacobs@ocalafl.org)
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09 / 23 / 2021
10:56:17 UTC-4

The document has been completed.