

**THIRD AMENDMENT TO AGREEMENT
(UTILIZING WESTERN STATES CONTRACTING ALLIANCE (WSCA)/STATE OF FLORIDA
DEPARTMENT OF MANAGEMENT SERVICES CONTRACT NO. 450-000-11-ACS
(WSCA NO. 1862) FACILITIES MRO: MAINTENANCE, REPAIR AND OPERATIONS)
BETWEEN
THE CITY OF JACKSONVILLE
AND
W. W. GRAINGER, INC.
FOR FACILITIES MRO: MAINTENANCE, REPAIR AND OPERATIONS**

THIS THIRD AMENDMENT to Agreement is made and entered into in this 25 day of June, 2015, by and between the CITY OF JACKSONVILLE, a municipal corporation existing under the Constitution and the laws of the State of Florida (hereinafter the ACITY@), and W. W. GRAINGER, INC., a foreign profit corporation with principal office at 100 Grainger Parkway, Lake Forest, Illinois 60045-5201 (hereinafter the AContractor@), for Facilities Maintenance, Repair and Operations.

RECITALS:

WHEREAS, on August 7, 2014, the parties entered into City of Jacksonville Contract No. 8178-02 (the "Agreement"); and

WHEREAS, said Agreement has been amended twice previously; and

WHEREAS, said Agreement should be amended by providing additional funding in the amount of \$100,000.00 so as to increase the maximum indebtedness of the City to a not-to-exceed amount of \$357,790.51, with all other provisions, terms, and conditions of said Agreement remaining unchanged; now therefore

IN CONSIDERATION of the premises and of the mutual covenants and agreements hereinafter contained and for other good and valuable consideration, the parties agree as follows:

1. The above-stated recitals are accurate, true, and correct and are made a part hereof and are incorporated herein by this reference.

2. Section 5.2 of said Agreement is amended by providing additional funding in the amount of \$100,000.00 so as to increase the maximum indebtedness of the City to a not-to-exceed amount of \$357,790.51, and as amended shall read as follows:

"5.2. Notwithstanding any contrary provision in **Exhibit A**, the maximum indebtedness of the CITY for all fees, reimbursable items, or other costs for MRO sold by Contractor to CITY pursuant to this Agreement shall not exceed the sum of THREE HUNDRED FIFTY-SEVEN THOUSAND SEVEN HUNDRED NINETY and 51/100 USD (\$357,790.51)".

SAVE AND EXCEPT as expressly amended herein, the provisions, terms, and conditions of said Agreement, as previously amended, shall remain unchanged and shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment the day and year first above written.

ATTEST:

CITY OF JACKSONVILLE:

By *James R. McCain, Jr.*
James R. McCain, Jr.
Corporation Secretary



By *Clayton Ferguson III*
Alvin Brown Clayton Ferguson III
Deputy Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2015-01

WITNESS:

W. W. GRAINGER, INC.

By *James Walters*
Signature
James Walters
Type/Print Name
Customer Service
Title

By *John Jones*
Signature
JOHN JONES
Type/Print Name
ACCOUNT MANAGER
Title

Approved as to form:

James R. McCain, Jr.
Office of General Counsel

Encumbrance and funding information for internal City use:

Account: PWPB5A1CHC-05215 \$50,000.00

Account: PWPB5A1MAPR-04603 \$50,000.00

Additional Funds: \$100,000.00

Maximum Indebtedness: \$357,790.51

This above-stated total amount is the maximum fixed monetary amount of the foregoing contract. It shall not be encumbered by the contract or this amendment. It shall be encumbered by one (1) or more subsequently issued Purchase Order(s) that must reference the foregoing Contract. All financial examinations and fund control checking will be made at the time such Purchase Order(s) are issued.

In accordance with Section 24.103(e), of the Ordinance Code of the City of Jacksonville, I do hereby certify that there is an unexpended, unencumbered, and unimpounded balance in the appropriation sufficient to cover the foregoing agreement; provided however, this certification is not nor shall it be interpreted as an encumbrance of funding under this Contract. Actual encumbrance(s) shall be made by subsequent purchase order(s) as specified in said Contract.



Director of Finance
City Contract #8178-02
3rd Amendment



Policy Number
GLO 5542908-01

ENDORSEMENT

ZURICH AMERICAN INSURANCE COMPANY

Named Insured: W.W. Grainger Inc.

Effective Date: 1/1/14
12:01 A.M., Standard Time

Agent Name:

Agent No.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED ENDORSEMENT

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

1. **WHO IS AN INSURED** (Section II) is amended to include as an additional insured any person(s) or organization(s) when you and such person(s) or organization(s) have agreed in writing in a contract or agreement that such person(s) or organization(s) be added as an additional insured on your policy. Such person(s) or organization(s) is an additional insured only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part by:
 - a. Your acts or omissions; or
 - b. The acts or omissions of those acting on your behalf which are covered by this insurance.
2. The limits of insurance afforded to such person(s) or organization(s) will be:
 - a. The minimum limits of insurance which you agreed to provide; or
 - b. The limits of insurance of this policy whichever is less.
3. This insurance will be primary to and non-contributing with any other insurance available to such person(s) or organization(s). **Condition 4. Other Insurance** (Section IV) is amended accordingly.

SUBJECT: PIGGYBACK STATE OF FLORIDA CONTRACT NO: 450-000-11-ACS (WSCA NO: 1862) FACILITIES MRO; MAINTENANCE REPAIR AND OPERATIONS

BID #: PSC-0620-14

OPEN DATE: 07/30/2014

GENERAL GOVERNMENT AWARDS COMMITTEE

KIND AND BASIS OF CONTRACT: DATE OF AWARD THROUGH FEBRUARY 28, 2017

AGENCY: PUBLIC BUILDINGS DIVISION

BASIS OF AWARD: PIGGYBACK STATE OF FLORIDA CONTRACT NO 450-000-11-ACS

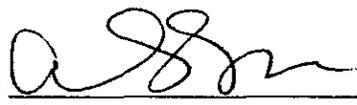
NUMBER OF BIDS INVITED: (0) NUMBER RECEIVED: (0) OTHER (0)

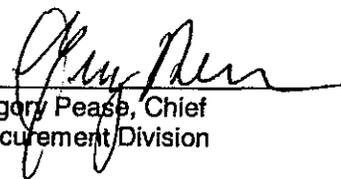
SUMMARY OF BIDS AND RECOMMENDED ACTIONS: Recommend approval to increase piggyback contract No. 8178-02 to W.W. Grainger, Inc. for additional supplies to complete various ADA projects and "as needed" repairs and maintenance in the amount of \$100,000.00. Total revised estimated expenditure not to exceed \$357,790.51.

Funding Source: PWPB5A1CHC-05215 - \$50,000.00
PWPB5A1MAPR-04603 - \$50,000.00

To be executed by formal contract amendment #3 through the Office of General Counsel. (Contract #8178-02)

Attachments: Recommendation Memo and Previous Awards

ANALYST: 
Annette Burney

RESPECTFULLY SUBMITTED 
Gregory Pease, Chief
Procurement Division

CONCURRENCE BY: Luis F. Flores, Chief, Public Buildings Division

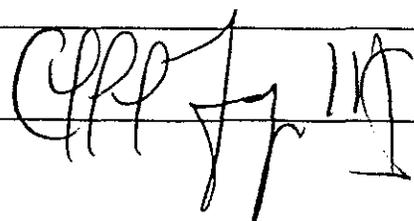
**(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)
ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE**

MEMBERS APPROVING 3 **MEMBERS DISAPPROVING** _____ **DATE:** 05/28/15

OTHER: _____

ACTION OF AWARDING AUTHORITY _____ **DATE** 5/28/15

APPROVED  _____ **DISAPPROVED** _____

OTHER _____
SIGNATURE OF AUTHENTICATION 

Cleveland Ferguson III
Deputy Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2015-01

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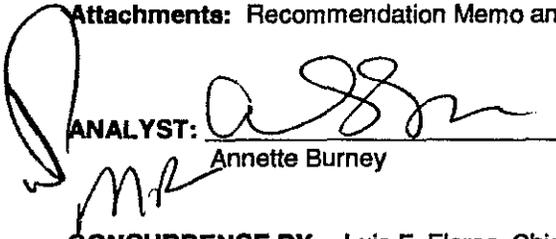
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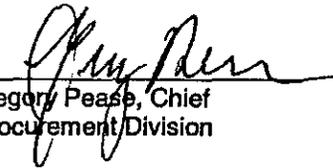
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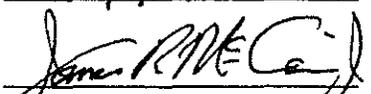
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APPROVED  _____ **DISAPPROVED** _____

OTHER _____ **Cleveland Ferguson III**
Deputy Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
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