

29. Approve Amendment #3 to IFB-3063-03/JVP – Term Contract for Sodium Hydroxide, with Harcross Chemicals, Inc., Tampa (Price Increase) (Term Contract).

IFB-3063-03/JVP provides for Sodium Hydroxide (Caustic Soda) throughout Seminole County Water and Sewer Facilities. Amendment #3 will provide for a price increase due to Manufacturer's increase. The price per dry ton through this Amendment will be \$425.00 per dry ton. A market research was conducted and it was determined that the proposed price is in accordance with current market costs and below the cost offered through competitive process to other governmental entities. The comparison is included in the backup documents.

Environmental Services Department and Fiscal Services/Purchasing and Contracts Division recommend the Board to approve the amendment and authorize the County Manager to execute the amendment.

THIRD AMENDMENT TO SODIUM HYDROXIDE PURCHASE AGREEMENT (IFB-3063-JVP)

THIS THIRD AMENDMENT is made and entered into this _____ day of _____, 20____ and is to that certain Agreement made and entered into on the 10th day of October, 2003, as amended on February 11, 2005 and on April 12, 2005, between **HARCROS CHEMICALS, INC.**, whose address is 5132 Trenton Street, Tampa, Florida 33619, hereinafter referred to as "CONTRACTOR," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the CONTRACTOR and COUNTY entered into the above-referenced Agreement on October 10, 2003, as amended on February 11, 2005 and on April 12, 2005 for purchase of sodium hydroxide; and

WHEREAS, the parties desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits it provides; and

WHEREAS, Section 21 of the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

NOW, THEREFORE, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. Exhibit "A" of the Agreement is amended by increasing the price of sodium hydroxide to FOUR HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$425.00) per dry ton, effective September 13, 2005.

2. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

3. The County Manager is hereby authorized to execute this Amendment on behalf of the COUNTY.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed.

ATTEST: HARCROS CHEMICALS, INC.

ROBERT W. CHANEY
Vice President and
Assistant Secretary

By: _____
J.F. O'NEILL
Vice-President and
Assistant Secretary

(CORPORATE SEAL)

Date: _____

WITNESSES:

SEMINOLE COUNTY, FLORIDA

By: _____
J. KEVIN GRACE, County Manager

Date: _____

For the use and reliance
of Seminole County only.

Within authority of Resolution
No. 93-R-71 adopted February 23,
1993.

Approved as to form and
legal sufficiency.

County Attorney

AC/lpk
8/9/05
3am-ifb-3063

IFB-3063-03/JVP
Sodium Hydroxide

Original Cost October 10, 2003	Amendment #1 February 17, 2005	Amendment #2 April 12, 2005	Proposed Amendment #3 September 13, 2005
\$285 per Dry Ton	\$335.00 per Dry Ton	\$375.00 per Dry Ton	\$425.00 per Dry Ton
Or	Or	Or	Or
\$0.912 per gallon	\$1.072 per gallon	\$1.20 per gallon	\$1.36 per gallon

Market Survey
IFB-3063-03/JVP
Sodium Hydroxide

Market	Current Cost
Allied Universal Corporation	\$1.56
Pasco County	\$1.5702
Fort Pierce Utilities	1.256
Lee County	\$2.15
Seminole County	\$1.36