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## **CONSTRUCTION CONTRACTS**

**19. Approve Amendment #1 to CC-1267-05/TLR – Fence Repairs and Installation, with KMG Fence LLC, St. Cloud (Additional Pay-Items).**

CC-1267-05/TLR will provide for all labor, materials, equipment, coordination, transportation and incidentals necessary for the removal and/or construction of all fencing materials and installation throughout Seminole County in conformance to the most recent “ASTM Standards for Fence materials and Products” and FDOT “Roadway and Traffic Design Standards”, sections 450, 451 and 452 most recent editions. Amendment #1 will add cantilever gates and 6’ high residential grade fence line item prices to the contact.

Authorization for performance of services by the Contractor(s) under this agreement shall be in the form of written Work Orders issued and executed by the County and signed by the Contractor(s).

The work and dollar amount for each work order will be based on the project and will be negotiated on an as-needed basis. The budget funding for this contract will be with each work order, since each work order has a unique scope and cost. The total not to exceed amount will be accordance with the Board approved annual budget.

Public Works/Roads-Stormwater and Fiscal Services/Purchasing and Contracts Division recommend that the Board approve and authorize the Chairman to execute the 1<sup>st</sup> Amendment as prepared by the County Attorney’s Office.

**FIRST AMENDMENT TO SEMINOLE COUNTY FENCE REPAIRS AND INSTALLATION  
AGREEMENT (CC-1267-05/TLR)**

**THIS FIRST AMENDMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and is to that certain Agreement made and entered into on the 10<sup>th</sup> day of October, 2005, between **KMG FENCE LLC**, whose address is 1102 Quotation Court, St. Cloud, Florida 34772, 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, 2005 for fence repairs and installation; 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 7 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 "C" of the Agreement is amended by the addition of items and prices as indicated in Exhibit "A," attached hereto.

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.

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

KMG FENCING LLC

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

\_\_\_\_\_  
Witness

Date: \_\_\_\_\_

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: \_\_\_\_\_  
CARLTON HENLEY, Chairman

Date: \_\_\_\_\_

For the use and reliance  
of Seminole County only.

As authorized for execution  
by the Board of County Commissioners  
at their \_\_\_\_\_, 20\_\_\_\_  
regular meeting.

Approved as to form and  
legal sufficiency.

\_\_\_\_\_  
County Attorney  
AC/lpk  
11/1/05  
lam cc-1267

Attachment:  
Exhibit "A" - Additional Scope of Services

### EXHIBIT A

## FAX COVER SHEET

**K.M.G. FENCE, LLC**  
**1102 QUOTATION CT.**  
**ST. CLOUD, FL 34772**  
**Phone: 407-892-2400**  
**Fax: 407-892-5894**

<b>Send to: Seminole County</b>	<b>From: Karen M. Grimsley</b>
<b>Attention: Neal Miller</b>	<b>Date: October 21, 2005</b>
<b>Reference: Prices requested</b>	<b>Office Location:</b>
<b>Fax number: 407-665-5634</b>	<b>Fax number:</b>

Urgent   
 Please Reply   
 Please comment   
 Please review   
 For your information

Total pages, including cover: 1

**Comments:**

Enclosed please find the pricing for the cantilever gates that you want to possibly add to the contract. I suggest you add 6' high residential grade fence to the contract. You seem to have a lot of it.

Item:	Price:
5 x 20 Cantilever gate	\$1,175.00
6 x 20 Cantilever gate	\$1,310.00
10 x 20 Cantilever gate	\$1,540.00
10 x 24 Cantilever gate	\$1,850.00
12 x 20 Cantilever gate	\$1,850.00
6' Height Residential Grade w/top rail/no barb	\$9.00 per foot

If all pages are not received or if you receive this fax in error  
please contact KMG Fence at 407-892-2400.