

SECOND AMENDMENT

This Amendment is made and entered into this 4 day of October, 2023, by and between Pinellas County, a political subdivision of the State of Florida, hereinafter referred to as "County," and Pro Energy LLC, Medley, FL hereinafter referred to as "Contractor," (individually referred to as "Party", collectively "Parties").

WITNESSETH:

WHEREAS, the County and the Contractor entered into an agreement on September 10, 2022, pursuant to Pinellas County Contract No. 190-0360-B (hereinafter "Agreement") pursuant to which the Contractor agreed to provide fuel transport and deliveries for County; and

WHEREAS, Section A (Specification), Subsection 39 (Additional Requirements) of the Agreement permits modification by mutual written agreement of the parties; and

WHEREAS, the County and the Contractor now wish to modify the Agreement in order to provide for an increase to the total contract expenditure, at the same prices, terms, and conditions;

NOW THEREFORE, the Parties agree that the Agreement is amended as follows:

1. The contract value is increased in the amount of \$5,800,000.00 for a new revised expenditure not to exceed \$18,819,556.70. The annual expenditure will not exceed \$3,763,911.34.
2. Except as changed or modified herein, all provisions and conditions of the original Agreement and any amendments thereto shall remain in full force and effect.

Each Party to this Amendment represents and warrants that: (i) it has the full right and authority and has obtained all necessary approvals to enter into this Amendment; (ii) each person executing this Amendment on behalf of the Party is authorized to do so; (iii) this Amendment constitutes a valid and legally binding obligation of the Party, enforceable in accordance with its terms.

IN WITNESS WHEREOF the Parties herein have executed this Second Amendment as of the day and year first written above.

PINELLAS COUNTY, FLORIDA
by and through its County Administrator



Barry A. Burton, County Administrator

CONTRACTOR:



Authorized Signature

Chas DeFelice

Printed Authorized Signature

Controller

Title Authorized Signature

APPROVED AS TO FORM

By: Keiah Townsend
Office of the County Attorney
