

FIRST AMENDMENT

This Amendment made and entered into this 18th day of July, 2023, by and between Pinellas County, a political subdivision of the State of Florida, hereinafter referred to as "County," and Badger Meter, Inc., Milwaukee, WI hereinafter referred to as "Contractor," (individually referred to as "Party", collectively "Parties").

WITNESSETH:

WHEREAS, the County and the Contractor entered into an agreement on June 21, 2022, pursuant to Pinellas County Contract No. 21-0057 P(JJ) (hereinafter "Agreement") pursuant to which the Contractor agreed to provide Advanced Metering Infrastructure Services for County; and

WHEREAS, Section twenty-one (21) 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 for Operational Metering requirements, at the same terms and conditions;

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

1. Section 5 ("Compensation and Method of Payment"), subsection B. is revised to reflect an increase in the amount of \$5,379,044.06 to the contract total, for a new revised not to exceed total contract expenditure of \$68,224,764.79.

2. Incorporate unit pricing for Operational Metering requirements into the Agreement as follows:

Fiscal Year 23 (10/1/2022 thru 9/30/2023): Pricing per Exhibit C – Statement of Values.

Fiscal Year 24 (10/1/2023 thru 9/30/2024): 10% increase to Exhibit C – Statement of Values unit pricing.

Beginning with Fiscal Year 25 (10/1/2024 thru 9/30/2025): and thereafter annually for the life of the contract, unit prices adjustable in an amount not to exceed the average of the Consumer Price Index (CPI) or six (6)%, whichever is less, for all Urban Consumers, Series Id: CUUR000SA0, Not Seasonally Adjusted, Area: U.S. city average, Item: All items, Base Period: 1982-84=100 for the twelve months prior.

Operational Metering requirements, which include water and reclaimed water meters for new construction, new connections to the reclaimed water system, and to replace meters outside of warranty coverage, may or may not be used by the County and will only be authorized by the County as needed. There is no guarantee that the funds allotted for Operational Metering requirements will be utilized during the performance of this contract.

3. 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 First Amendment as of the day and year first written above.

PINELLAS COUNTY, FLORIDA  
by and through its  
Board of County Commissioners

*Janet C. Leung*  
Chair



ATTEST:  
KEN BURKE

*Deborah Lewis*  
Deputy Clerk

CONTRACTOR:

Jenny Dunk

Authorized Signature

Jennifer A. Dunk

Printed Authorized Signature

Assistant Secretary and Proposal Lead

Title Authorized Signature

Signature: *Jenny Dunk*

Email: jdunk@badgermeter.com

**APPROVED AS TO FORM**

By: *Keiah Townsend*  
Office of the County Attorney

# First Amendment - 21-0057-P

Final Audit Report

2023-06-13

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