



CITY OF DELRAY BEACH
100 NW 1st AVENUE, DELRAY BEACH, FL 33444

AMENDMENT NO. 2 TO
SOLICITATION NO. 2017-007
PURCHASE AGREEMENT FOR FIREFIGHTER PROTECTIVE
EQUIPMENT, BUNKER GEAR

BENNETT FIRE PRODUCTS COMPANY, INC.

CITY OF DELRAY BEACH
AMENDMENT NO. 2 TO
PURCHASE AGREEMENT FOR FIREFIGHTER PROTECTIVE EQUIPMENT, BUNKER GEAR

THIS AMENDMENT NO. 2 to Purchase Agreement for Firefighter Protective Equipment, Bunker Gear dated April 12, 2017, by and between City of Delray Beach, a municipal corporation of the State of Florida (hereinafter referred to as "City"), and Bennett Fire Products Company, Inc. (hereinafter referred to as "Supplier"), a Georgia corporation authorized to do business in the State of Florida, is entered into this ____ day of _____, 20__.

WITNESSETH:

WHEREAS, on April 12, 2017, City entered into a two-year agreement with Supplier for the purchase of bunker gear (herein referred to as the "Agreement"); and

WHEREAS, on July 18, 2017, City executed Amendment No. 1 to the Agreement to increase the annual not-to-exceed amount from \$100,000 to \$200,000; and

WHEREAS, City desires to renew the Agreement utilizing its only one-year renewal option; and

WHEREAS, Supplier requests a price escalation for the one-year renewal period, in accordance with the Agreement; and

WHEREAS, Supplier agrees to continue to provide services to City in accordance with the terms and conditions of the Agreement.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the parties do agree that the Agreement is amended as follows:

1. The above recitals are true and correct and are incorporated herein.
2. Paragraph 3 of the Purchase Agreement dated April 12, 2017 shall be amended to read as follows:

This Agreement is in full force and effect upon full execution by the City of Delray Beach for an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) per year term of this Agreement. The term of the Agreement shall be from the 1st day of April, ~~2017~~ 2019 through the 31st day of March, ~~2019~~ 2020, unless terminated earlier by the City, ~~with one, one year option to renew~~.

3. This Amendment No. 2 allows for a price escalation consistent with the terms of the Agreement beginning on April 1, 2019 no greater than the Bureau of Labor Statistics, Producer Price Index (PPI) price increase for the most recent 12 month period per the following: PPI, Industry Data, Not Seasonally Adjusted, Miscellaneous products, Personal safety equipment and clothing, WPU 157108.
4. Except as provided herein, all other terms and conditions of the Agreement remain in full force and effect and are hereby ratified and confirmed. The Agreement, Amendment No. 1, and this

Amendment No. 2 represent the entire understanding between the parties on the issues contained herein, either written or oral, and may only be amended by written instrument signed by both parties.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the City and Supplier hereto have set their hands and corporate seals on this _____ day of _____, 20__.

ATTEST:

CITY OF DELRAY BEACH

Katerri Johnson, City Clerk

BY: _____
Shelly Petrolia, Mayor

Approved as to form for legal sufficiency:

Lynn Gelin, Interim City Attorney

SUPPLIER

By: Richard D Bennett
Richard D. Bennett
Printed Name
President
Title

(SEAL)

STATE OF GEORGIA
COUNTY OF CHEROKEE

The foregoing instrument was acknowledged before me this 15th day of January, 2019, by Richard D. Bennett as President (name of officer or agent, title of officer or agent), of Bennett Fire Products Company (name of corporation acknowledging), a GA (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced GA Drivers License (type of identification) as identification.

Jerika Head
Notary Public – State of Georgia

