

FIRST AMENDMENT FOR THE AGREEMENT FOR
GLASS RECOVERY CYCLONE RETROFIT

THIS FIRST AMENDMENT OF THE AGREEMENT FOR GLASS RECOVERY CYCLONE RETROFIT, is made by and between the Lee County Board of County Commissioners, a political subdivision of the State of Florida ("County") and Strategic Materials, Inc. ("Vendor"), collectively, the "Parties."

WHEREAS, the County entered into an Agreement for the purchase of a 60" Glass Recovery Cyclone or equivalent, through Solicitation RFP230341JJB, with Vendor on the 23rd day of October, 2023 ("Agreement"); and,

WHEREAS, after the execution of the Agreement, it was determined it would be in the best interest of the County modify the term of the Agreement to clarify that final completion will be reached within 210 days from the issuance of the Purchase Order; and,

WHEREAS, pursuant to Article XVI. MISCELLANEOUS of the Agreement, the Parties desire to modify the Agreement to update Section II. TERM AND DELIVERY of the Agreement to require final completion within 210 days from the issuance of the Purchase Order.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, IT IS AGREED AS FOLLOWS:

1. Paragraph C of Section II. TERM AND DELIVERY of the Agreement shall be superseded by:

"The Project shall reach final completion within 210 days from the issuance of the Purchase Order."

[Remainder of the page left intentionally blank.]

IN WITNESS WHEREOF, this First Amendment of the Agreement has been signed and sealed, in duplicate, by the respective parties hereto.

DATED 4/19/2024 | 8:53 AM EDT by the Lee County Board of County Commissioners.

COUNTY: LEE COUNTY, FLORIDA

DocuSigned by:
Douglass L. Whitehead
BY: 764B298DA8E6491...
Douglass Whitehead
Director of Solid Waste, on behalf of the
Board of County Commissioners

APPROVED as to Form for the Reliance of
Lee County Only

DocuSigned by:
Amanda L. Swindle
BY: EC9B5A5584DD473...
County Attorney's Office

DATED this 12 day of April, 2024 by Strategic Materials, Inc.

ATTEST:

Broad Bell
(Witness)

BY: *[Signature]*
Authorized Signature
C Dods
Authorized Signature Printed Name
[Signature]
Authorized Signature Title

CORPORATE SEAL:

Certificate Of Completion

Envelope Id: 0EF4F9A237324CD0820D4D0A57AA4C90	Status: Completed
Subject: Routing for Signatures - RFP230341JJB - Glass Recovery Cyclone Retrofit - Amendment 1	
Source Envelope:	
Document Pages: 2	Signatures: 2
Supplemental Document Pages: 5	Initials: 0
Certificate Pages: 5	Envelope Originator: Daniel Goggin
AutoNav: Enabled	2115 Second St, First Floor
Enveloped Stamping: Enabled	Fort Meyers, FL 33901
Time Zone: (UTC-05:00) Eastern Time (US & Canada)	dgoggin@leegov.com
	IP Address: 208.89.76.205

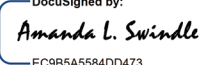
Record Tracking

Status: Original 4/15/2024 7:36:21 AM	Holder: Daniel Goggin dgoggin@leegov.com	Location: DocuSign
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Signer Events

Amanda L. Swindle
 aswindle@leegov.com
 Senior Assistant County Attorney
 Security Level: Email, Account Authentication (None)

Signature

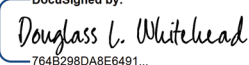
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 Signature Adoption: Pre-selected Style
 Using IP Address: 208.89.76.205

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 Signed: 4/19/2024 8:36:25 AM

Electronic Record and Signature Disclosure:
 Accepted: 6/12/2023 8:44:28 AM
 ID: b303ddc7-cc40-4de9-9997-26ff5e9a51e3

Douglass L. Whitehead
 DWhitehead@leegov.com
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 764B298DA8E6491...
 Signature Adoption: Pre-selected Style
 Using IP Address: 208.89.76.203

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 Signed: 4/19/2024 8:53:28 AM

Electronic Record and Signature Disclosure:
 Accepted: 11/16/2023 9:38:36 AM
 ID: 3c73deb0-2cc7-43b2-b0f6-e450fb226812
 Supplemental Documents:

01 - Board Approved AIR - RFP230341JJB.pdf
 02 - Sunbiz - Strategic Materials.pdf

Viewed: 4/19/2024 8:52:28 AM
 Read: Not Required
 Accepted: Not Required
 Viewed: 4/19/2024 8:52:46 AM
 Read: Not Required
 Accepted: Not Required

Melissa Butler
 mbutler@leeclerk.org
 Deputy Clerk
 Lee County Clerk of Courts
 Signing Group: Minutes
 Security Level: Email, Account Authentication (None)

Completed
 Using IP Address: 198.184.170.4

Sent: 4/19/2024 8:53:30 AM
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 Signed: 4/19/2024 9:02:34 AM

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In Person Signer Events

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Editor Delivery Events

Status

Timestamp

Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Erica Temerario
etemerario@leegov.com
Lauren Schaefer
lschaefer@leegov.com
Tina Boone
tboone@leegov.com
Legal Administrative Specialist, Sr
Lee County BoCC
Signing Group: County Attorney's Office
Security Level: Email, Account Authentication (None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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Sent: 4/15/2024 8:19:01 AM

Connie Prevatte
cprevatte@leegov.com
Security Level: Email, Account Authentication (None)
Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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Sent: 4/19/2024 9:02:36 AM

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	4/15/2024 7:39:26 AM
Certified Delivered	Security Checked	4/19/2024 9:02:29 AM
Signing Complete	Security Checked	4/19/2024 9:02:34 AM
Completed	Security Checked	4/19/2024 9:02:36 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Lee County BOCC-Procurement Management:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: mpatterson@leegov.com

To advise Lee County BOCC-Procurement Management of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at mpatterson@leegov.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To request paper copies from Lee County BOCC-Procurement Management

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to mpatterson@leegov.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Lee County BOCC-Procurement Management

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to mpatterson@leegov.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Lee County BOCC-Procurement Management as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Lee County BOCC-Procurement Management during the course of your relationship with Lee County BOCC-Procurement Management.

**AGENDA ITEM REPORT**

DATE: October 17, 2023
DEPARTMENT: Solid Waste
REQUESTER: Douglass Whitehead
TITLE: Award Contract to Purchase New Glass Recovery Cyclone System

I. MOTION REQUESTED

- A) Award Request for Proposal No. RFP230341JJB, Glass Recovery Cyclone Retrofit to Strategic Materials, Inc., for the purchase and installation of a 60" Glass Recovery Cyclone system, in the amount of \$166,853.00.
 B) Authorize the Chair to execute the contract documents on behalf of the Board of County Commissioners.

II. ITEM SUMMARY

Awards a competitively bid contract to Strategic Materials, Inc., to purchase and install a new 60" glass recovery cyclone system at the Material Recovery Facility. The existing cyclone is over ten years old, no longer functions as originally designed and is not economically feasible to repair. The cyclone system is designed to remove contamination from recycled glass. The new cyclone will reduce the contamination rate to less than 10% with an estimated annual revenue of \$84,000.00.

III. BACKGROUND AND IMPLICATIONS OF ACTIONA) Board Action and Other History

Lee County Solid Waste submitted a request to Procurement Management to obtain proposals on behalf of the Board of County Commissioners for the project known as RFP230341JJB, 60" Glass Recovery Cyclone Retrofit. On the established proposal deadline of Thursday, June 15, 2023, Procurement received two proposals. A first evaluation meeting was held on Thursday, July 6, 2023, during which the Evaluation Committee considered the criteria as listed in the solicitation request. A second evaluation meeting was held on Wednesday, August 9, 2023, and based on the information submitted and presented by the firms in their proposals, it was the consensus of the Evaluation Committee to recommend the contract to be awarded to Strategic Materials Inc., the most responsible and responsive bidder.

B) Policy IssuesC) BoCC GoalsD) Analysis

The current glass cyclone system is over ten (10) years old, has exceeded its life expectancy and is no longer economically feasible to repair. The glass cyclone system is designed to remove organics and paper contamination from the glass prior to marketing to the recycled glass buyer. Current contamination is at 30% and costs the County \$9.00 per ton to ship and process. During FY22, recovered glass was 21,000 tons, costing the County and estimated \$189,000. The new cyclone system will reduce the contamination rate to less than 10% and generate approximately \$4.00 per ton to the County with an estimated annual revenue of \$84,000.

E) Options**IV. FINANCIAL INFORMATION**

A)	Current year dollar amount of item:	\$166,853
B)	Is this item approved in the current budget?	Yes
C)	Is this a revenue or expense item?	Expense
D)	Is this Discretionary or Mandatory?	Discretionary
E)	Will this item impact future budgets? If yes, please include reasons in III(D) above.	No
F)	Fund: 40120 Program: Solid Waste Major Maintenance Project: MRF Life Extensions Account Strings: 40333740120	
G)	Fund Type?	Enterprise
H)	Comments:	

V. RECOMMENDATION

Approve

VI. TIMING/IMPLEMENTATION

VII. FOLLOW UP

ATTACHMENTS:

Description

[Vendor_Executed_Agreement](#)

Upload Date

9/26/2023

Type

Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Solid Waste	Tucker, Mary	Approved	10/5/2023 - 3:21 PM
Solid Waste	Ditch, Mary Kay	Approved	10/6/2023 - 8:47 AM
Budget Services	Henkel, Anne	Approved	10/6/2023 - 11:41 AM
Budget Services	Winton, Peter	Approved	10/6/2023 - 2:37 PM
County Attorney	Swindle, Amanda	Approved	10/9/2023 - 9:11 AM
County Manager	Brady, Christine	Approved	10/9/2023 - 11:50 AM