



CONTRACT AMENDMENT

This Contract Amendment #4 ("Amendment") by and between the Contractor and the City as defined below shall be effective as of the date this Amendment is fully executed.

Contractor's Full Legal Name:	Amaya Solutions, Inc fka American Water Chemicals, INC.
Solicitation No./Event ID:	20180167
Solicitation Title/Event Name:	Supply Anti-Scalant A-102 Plus
Contract Award Date:	July 23, 2018
Initial Current Contract Term:	November 3, 2018 through November 2, 2023
Current Contract Expiration Date:	November 2, 2023
Requested Expiration Date:	N/A
Initial Contract Amount:	Unit price as needed
Contract Amended Amount:	N/A
Requested Financial Change Amount:	\$125,000 for 1 year
New Contract Amount:	Unit price as needed
Amendment No.:	4
Amendment Type:	Terms Revision

RECITALS

WHEREAS, the Contract is in effect through the Current Contract Term as defined above; and

WHEREAS, the City and Contractor are experiencing escalating costs associated with chemical production; and

WHEREAS, the parties desire to enter into this Amendment to adjust the price pursuant to a price index,

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. **Recitals.** The foregoing recitals are hereby incorporated as forming the intent and purpose behind this Amendment.
2. **Terms and Conditions.** Due to supply shortages and the yellow phosphorous supply market, American Water Chemicals is requesting a temporary emergency surcharge price increase for the following items:

Description	Unit Price	Pricing with Temporary Emergency Surcharge
2,000-gallon Bulk Delivery including freight	\$ 0.78 per lb.	\$ 1.053 per lb.
4,000-gallon Bulk Delivery including freight	\$ 0.74 per lb.	\$ 0.999 per lb.

Prices will become effective on May 27, 2022 and will expire at midnight on April 30, 2023 ("Expiration Date").

Thereafter, the parties agree to use index WPS06502 to adjust the price accordingly on a bi-annual basis. AWC will record the revised PPI in preparation for the May 1, 2023 adjustment. Sixty days prior to the Expiration Date, AWC will provide the revised price for the six-month period May 1, 2023 – November 2, 2023. The chemical cost/lb) unit price shall be adjusted based on the percent change (up or down) in the previously identified index. The percent change will be applied to the base period line item 1 price for each evaluation. The adjusted price shall apply to new orders placed on or after the effective date of the approved, adjusted price. The City may require additional documentation in addition to PPI changes to support price adjustments and demonstrate consistency with comparable municipalities for the duration of the Contract.

3. **SUCCESSORS AND ASSIGNS.** This Amendment shall be binding upon and inure to the benefit of the successors and permitted assigns of the parties hereto.
4. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Amendment and the contract (including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

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Contract # 20180167

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives.

CONTRACTOR

Contractor's Full Legal Name: (PLEASE TYPE OR PRINT)	Amaya Solutions, Inc. DBA American Water Chemicals
Authorized Signature:	 7DBB0A01672348D...
Printed Name and Title of Person Signing:	Tony de Almeida Operations Manager
Date:	11/28/2022
Company Address:	1802 Corporate Center Lane, Plant City FL 33563

CITY OF PORT ST. LUCIE

Authorized Signature:	
Printed Name and Title of Person Signing:	Caroline Sturgis Director, Budget and Procurement
Date:	
City Address:	121 S.W. Port St. Lucie Blvd., Port St. Lucie, FL 34984