

9942  
Amd 1

**FIRST AMENDMENT TO AGREEMENT  
UTILIZING CLAY COUNTY BID #14-MA-305  
BETWEEN  
THE CITY OF JACKSONVILLE  
AND  
THERMASERVE, INC.  
FOR  
MAINTENANCE OF THE CARRIER/HANBELL CHILLER**

**THIS FIRST AMENDMENT** to Agreement is made and entered into in duplicate this 4 day of March, 2015, by and between the CITY OF JACKSONVILLE (hereinafter the "CITY"), a municipal corporation existing under the Constitution and the laws of the State of Florida, and THERMASERVE, INC. (hereinafter the "Contractor"), a Florida profit corporation with principal office at 6676 Columbia Park Drive South, Jacksonville, Florida 32258, for the comprehensive and annual maintenance of the Carrier/Hanbell chiller (hereinafter the "Project").

**RECITALS:**

**WHEREAS**, on November 15, 2013, CITY and Contractor entered into City of Jacksonville Contract No. 9942 (hereinafter the "Agreement") for the Project; and

**WHEREAS**, said Agreement has not been amended previously; and

**WHEREAS**, said Agreement should be amended by increasing the maximum indebtedness for the initial term of the Agreement by \$44,635.00 to a new total maximum indebtedness not-to-exceed \$89,039.00, with all other provisions, terms, and conditions of said Agreement remaining unchanged; now therefore

**IN CONSIDERATION** of the premises and of the mutual covenants and agreements hereinafter contained and for other good and valuable consideration, the parties agree as follows:

1. The above-stated recitals are accurate, true, and correct and are made a part hereof and are incorporated herein by this reference.

2. Section 5.2 of said Agreement is amended by increasing the maximum indebtedness for the initial term of the Agreement by \$44,635.00 to a new total maximum indebtedness not-to-exceed \$89,039.00, and as amended shall read as follows:

“5.2. Notwithstanding any contrary provision in **Composite Exhibit 1**, the maximum indebtedness of the CITY for all fees, reimbursable items, or other costs for the Services sold by Contractor pursuant to this Agreement shall not exceed the sum of Eighty-nine Thousand Thirty-nine and 00/100 USD (\$89,039.00).”

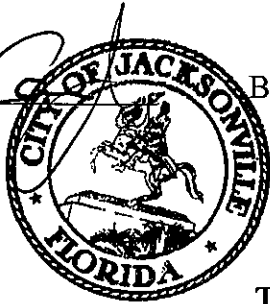
**SAVE AND EXCEPT** as expressly amended in and by this instrument, the provisions, terms, and conditions of said Agreement shall remain unchanged and shall continue in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this First Amendment the day and year first above written.

**ATTEST:**

**CITY OF JACKSONVILLE:**

By *James R. McCain, Jr.*  
James R. McCain, Jr.  
Corporation Secretary



By *Cleveland Ferguson III*  
Cleveland Ferguson III  
Deputy Chief Administrative Officer  
For: Mayor Alvin Brown  
Under Authority of:  
Executive Order No. 2015-01

**WITNESS:**

**THERMASERVE, INC.**

By *Cynthia A Glover*  
Signature  
Cynthia A Glover  
Type/Print Name  
Office Manager  
Title

By *Scott D Royer*  
Signature  
Scott D Royer  
Type/Print Name  
President  
Title

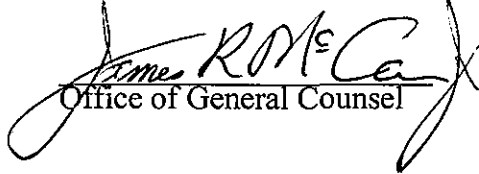
In compliance with the *Ordinance Code* of the City of Jacksonville, I do hereby certify that there is an unexpended, unencumbered, and unimpounded balance in the appropriation sufficient to cover the foregoing Agreement, and provision has been made for the payment of the monies provided therein to be paid from the following account:

  
Director of Finance

9942-Annul

ps

Form Approved:

  
Office of General Counsel



THERINC-01

TKUNZ

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/19/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Cecil W. Powell & Company 219 N. Newnan Street Jacksonville, FL 32202	<b>CONTACT NAME:</b> Tracy K. Kunz CISR CWCS <b>PHONE (A/C, No, Ext):</b> (904) 353-3181 <b>FAX (A/C, No):</b> (904) 353-5722 <b>E-MAIL ADDRESS:</b> Tkunz@cwpowellins.com														
<b>INSURED</b>  ThermaServe Inc. 6676 Columbia Park Drive S Jacksonville, FL 32258	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A : Westfield Ins Co</td> <td>24112</td> </tr> <tr> <td>INSURER B : FFVA Mutual Insurance Co</td> <td>10385</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Westfield Ins Co	24112	INSURER B : FFVA Mutual Insurance Co	10385	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:			CMM1680819	07/12/2014	07/12/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			CMM1680819	07/12/2014	07/12/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			CMM1680819	07/12/2014	07/12/2015	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N <input type="checkbox"/> N/A	WC84000229042014A	10/10/2014	10/10/2015	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

City of Jacksonville  
 General Accounting Division  
 117 W. Duval Street, Suite 375  
 Jacksonville, FL 32202

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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**ADMINISTRATIVE AWARD**  
**BID No.: PSC-0029-14**

**DESCRIPTION OF GOODS/SERVICES:**

Subject bid was awarded to Thermaserve, Inc. on 11/15/13 in the amount of \$44,404.00 for the period of service 11/15/13 – 8/15/15. Recommend amendment to contract with Thermaserve, Inc. to increase the amount for annual services required for FY15 in the amount of \$44,635.00 for a revised maximum indebtedness to the City not-to-exceed \$89,039.00

The increase to be encumbered by account PWPB5A1MAPR-03410F and executed by contract amendment through the Office of General Council.

**FOR AGENCY/DEPARTMENT:** Public Buildings

**REQUISITION NUMBERS:** N/A

**NUMBER FIRMS SOLICITED:** N/A      **NUMBER FIRMS BIDDING:** N/A

**REASON FOR LESS THAN REQUIRED MINIMUM SOLICITATION/QUOTATION:**  
N/A

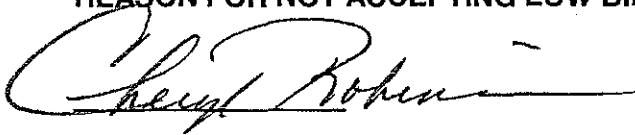
**RECOMMEND AWARD TO:** Thermaserve, Inc

**CONCURRENCE BY:** Luis F. Flores, Chief of Public Buildings, Public Buildings Division

**PRICE:** \$89,039.00

**TERMS:** Net 30

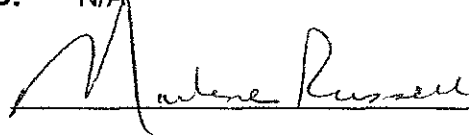
**REASON FOR NOT ACCEPTING LOW BID:** N/A



Buyer/Analyst

2/10/2015

Date



Manager of Purchasing Services

2/11/15

Date

**APPROVAL/DISAPPROVAL:**

  
\_\_\_\_\_  
Gregory Pease, Chief, Procurement Division      Date

2/11/15

**ADMINISTRATIVE AWARD  
BID No.: PSC-0029-14**

**DESCRIPTION OF GOODS/SERVICES:**

*Amd #1*

Subject bid was awarded to Thermaserve, Inc. on 11/15/13 in the amount of \$44,404.00 for the period of service 11/15/13 – 9/30/14 for FY1314. Recommend approval of ~~Change Order #1~~ to Thermaserve, Inc. in the amount of \$44,635.00 for services through 8/15/15 for FY1415 for a revised maximum indebtedness to the City not-to-exceed \$89,039.00

*Amd #1*

Funding for ~~Change Order #1~~ to be encumbered by account PWPB5A1MAPR-03410F and executed by contract amendment.

**FOR AGENCY/DEPARTMENT:** Public Buildings

**REQUISITION NUMBERS:** N/A

**NUMBER FIRMS SOLICITED:** N/A      **NUMBER FIRMS BIDDING:** N/A

**REASON FOR LESS THAN REQUIRED MINIMUM SOLICITATION/QUOTATION:**  
N/A

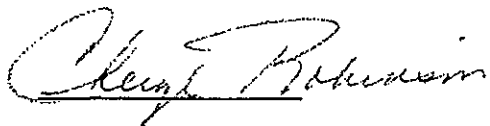
**RECOMMEND AWARD TO:** Thermaserve, Inc

**CONCURRENCE BY:** Luis F. Flores, Chief of Public Buildings, Public Buildings Division

**PRICE:** \$89,039.00

**TERMS:** Net 30

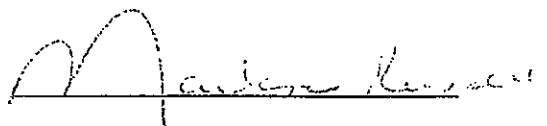
**REASON FOR NOT ACCEPTING LOW BID:** N/A

*9*  


Buyer/Analyst

1/30/15

Date



Manager of Purchasing Services

2/2/15

Date

**APPROVAL/DISAPPROVAL:**

  
\_\_\_\_\_  
Gregory Pease, Chief, Procurement Division      Date

2/3/15