

Contract Number CM1081-A2
Bid/Proposal No.: NC07-024

AMENDMENT NO. 2 / FIRST EXTENSION TO THE
AGREEMENT FOR COLD PLANT MIX

THIS ADDENDUM entered into this 12th day of August, 2009 by and between the **BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA**, a political subdivision of the State of Florida, (hereinafter referred to as "County") and **DUVAL ASPHALT PRODUCTS, INC**, 7544 Phillips Highway, Jacksonville, Florida 32256, (hereinafter referred to as "Vendor").

WHEREAS, the parties entered into an Agreement dated October 22, 2007; and

WHEREAS, the original agreement provided for an initial term beginning October 22, 2007 and ending September 30, 2009, with an option to extend upon mutual contract between the vendor and the County; any extension of performance period under this provision shall be in one (1) year increments; and

WHEREAS, the parties agreed to a price increase in an amendment dated November 19, 2008, adjusting the price to \$23.00 per ton for pickup: (a) Price per Ton at Plant Site \$116.00, and \$24.74 per ton of delivered material; (b) Price per Ton F.O.B. Hilliard, Florida \$123.09; (c) Price Per Ton F.O.B. Fernandina Beach, Florida \$123.24; and

WHEREAS, the parties desire to amend and extend said Agreement; and

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. In accordance with Section 20 of the Agreement for Ready Mix Concrete dated October 22, 2007, the performance period is hereby extended for an additional one (1) year beginning October 1, 2009 and ending September 30, 2010.
2. All other provisions of said Agreement not in conflict with this Addendum shall remain in full force and effect.
3. Time is of the essence.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



BARRY V. HOLLOWAY
Its: Chair

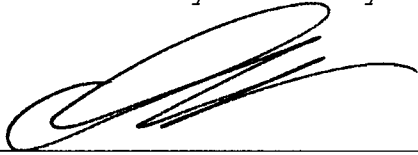
Attest to Authenticity of
Chair's Signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

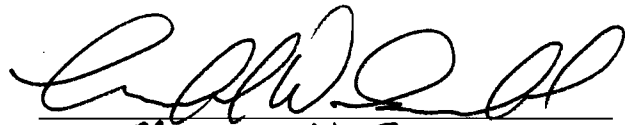
EBK
8/12/09

Approved as to form and legality by the
Nassau County Attorney:



DAVID A. HALLMAN

DUVAL ASPHALT PRODUCTS, INC.



By: MICHAEL W. SWINDAL

Its: SALES MANAGER

STATE OF Florida
COUNTY OF Duval

Before me personally appeared,
Michael W. Swindal, who is personally known _____ or
produced _____ as identification, known
to be the person described in and who executed the foregoing
instrument, and acknowledged to and before me that he/she
executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 4th day of
August, 2009.

Karen Denise Gowdy

Notary Signature

Notary-Public-State of Florida at large
My Commission expires: 7-26-2010

