

**FIRST AMENDMENT CONTRACTUAL SERVICES AGREEMENT WITH MPH INDUSTRIES
INC BDA BOONE WELDING AND POWDER COATING NO. 13877**

THIS FIRST AMENDMENT (“First Amendment”) is made by and between Alachua County, Florida, a political subdivision and charter county of the State of Florida, by and through its Board of County Commissioners (the “County”) and M.P.H Industries Inc b/b/a Boone Welding & Powder Coating, a Florida for Profit Corporation which is authorized to do business in the State of Florida (“Contractor”), who are collectively referred to as the “Parties”.

WITNESSETH:

WHEREAS, the Parties previously entered into an Agreement, dated September 15, 2023, for Annual Welding and Supply Purchases, identified by No. 13877 (the “Agreement”); and

WHEREAS, the County has elected its option to renew the term of the Agreement to allow the Contractor to continue to furnish the goods or service to Alachua County; and

WHEREAS, the Parties agree to amend the Agreement to add the statutory language and affidavit from Section 787.06(13), Florida Statutes, No Coercion for Labor or Services; and

WHEREAS, the Parties desires to amend the Agreement to extend the term and to do as otherwise provided herein.

NOW, THEREFORE, the County and Contractor agree to amend the Agreement as follows:

A. Amendment. Section 3, of the Agreement titled “Term” is amended to read as follows:

Term. The term of this Agreement is effective on October 1, 2023 (the “Effective Date”) and shall continue through September 30, 2027, unless earlier terminated as provided herein. This Agreement may be amended at the option of the County for 1 additional 1-year term at the same terms and conditions outlined herein. The Contractor may choose not to renew this Agreement with the County provided the Contractor provides the County with written notice ninety (90) days prior to October 1st for each term renewal.

B. Amendment. The Agreement is amended to add new Sub-Section 15.T. titled “Affidavit of No Coercion” is added to read as follows:

T. **Affidavit of No Coercion Pursuant to §787.06, Florida Statutes**

1. Section 787.06(13), Florida Statutes, requires any governmental entity when executing, renewing, or extending a contract, must obtain an affidavit from the non-governmental entity attesting that it does not use coercion for labor or services. The terms "coercion" and "labor" are defined respectively in sections 787.06(2)(a) and 787.06(2)(e), Florida Statutes.

2. The Professional will certify this understanding, obligation, through the completion and execution of the Affidavit of No Coercion Pursuant to §787.06, Florida Statutes, a copy of which is attached to this Amendment as **Exhibit 5**.

C. Effective Date. This First Amendment shall be effective upon execution by both Parties.

D. Original Agreement. Unless expressly amended herein, all other terms and provisions of the Agreement shall be and remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this First Amendment to be executed on the day and year below written.

ALACHUA COUNTY, FLORIDA

By: _____

Charles Chestnut, IV, Chair

Board of County Commissioners

Date: _____

ATTEST

APPROVED AS TO FORM

J.K. "Jess" Irby, Esq., Clerk

(SEAL)

Alachua County Attorney's Office

CONTRACTOR

By: _____

Print: _____

Title: _____

Date: _____

IF THE CONTRACTOR IS NOT A NATURAL PERSON, PLEASE PROVIDE A CERTIFICATE OF INCUMBENCY AND AUTHORITY, OR A CORPORATE RESOLUTION, LISTING THOSE AUTHORIZED TO EXECUTE AGREEMENTS ON BEHALF OF YOUR ORGANIZATION. IF ARE A NATURAL PERSON, THEN YOUR SIGNATURE MUST BE NOTARIZED.

Exhibit 5: No Coercion for Labor or Services Affidavit

**AFFIDAVIT OF NO COERCION
PURSUANT TO §787.06, FLORIDA STATUTES**

State of Florida
County of Alachua

I, _____[insert full legal name of the person providing this affidavit], as _____[insert corporate title of the person providing this affidavit] of the _____[insert full legal name of the Corporation], having taken an oath, deposes and says:

1. I am over the age of twenty-one (21) and make this Affidavit on personal knowledge and not upon information or belief
2. I am duly authorized to attest and affirm as to the matters contained herein on behalf of on behalf of the _____ [insert full legal name of the Corporation].
3. I attest and affirm that _____[insert full legal name of the Corporation] does not use coercion as defined in section 787.06(2)(a), Florida Statutes, to employ any person for labor or services.
4. This signed attestation is provided to the Alachua County Board of County Commissioners to comply with section 787.06(13), Florida Statutes.

Under penalty of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature

Name Printed

Title

Date Signed

