



CONTRACT: C21-3074-PW
MOHAWK VALLEY MATERIALS, INC.
ROAD STABILIZATION
EXPIRES: 09/30/2023 W/1 1 YR RENEWAL

THIRD AMENDMENT TO THE AGREEMENT BETWEEN OKALOOSA COUNTY, FLORIDA AND MOHAWK VALLEY MATERIALS, INC.
CONTRACT NO. C21-3074-PW

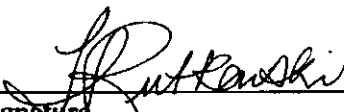
BCC Records
ML Carson

This Third Amendment to the Agreement between Okaloosa County, a political subdivision of the State of Florida (the "County"), and Mohawk Valley Materials, Inc. (the "Contractor"), executed this 15th-3rd day of November, 2022, is made a part of the original Agreement dated May 4, 2021, Contract No. C21-3074-PW (the "original Agreement"), incorporated herein by reference. The County and Contractor hereby agree as follows:

1. **COMPENSATION.** The County and Contractor wish to amend the Compensation listed in Section 4 of the original Agreement to allow for rate changes due to inflation in product prices. The updated rates are attached as Attachment "A" hereto and made a part of the Agreement.
2. **OTHER PROVISIONS REMAIN IN EFFECT.** Except as specifically modified herein, all terms and conditions of the original Agreement between the parties, dated May 4, 2021, and any amendments thereto, shall remain in full force and effect.
3. **CONFLICTING PROVISIONS.** The terms, statements, requirements, or provisions contained in this Amendment shall prevail and be given superior effect and priority over any conflicting or inconsistent terms, statements, requirements or provisions contained in any other document or attachment.

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

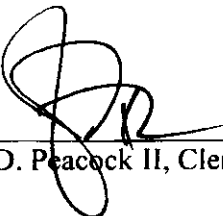
MOWHAK VALLEY MATERIALS, INC.:


Signature

TITLE: President

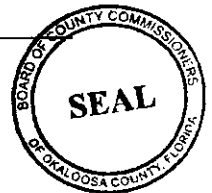
Tricia Rutkowski
Print Name

OKALOOSA COUNTY, FLORIDA


J.D. Peacock II, Clerk



BY: 
Mel Ponder, Chairman





August 2, 2022

Mr. Vandebroeck
Road Division Chief

RE: Contract Number ITB PW 27-21 Request for Equitable Adjustment

Dear Robert Vandebroeck,

Mohawk Valley Materials, Inc. (MVM) is experiencing significant cost increases in fuel, materials, hauling, and equipment parts that appear to be a result of the COVID pandemic supply chain disruptions, our country's involvement in the Russia-Ukraine conflict, and administration policies related to domestic fuel production. According to the US Inflation Calculator, in the 12 months from May 2021 to May 2022, gasoline increased 48.7% and inflation hit another 40-year high in May 2022 at 8.6%.

As a contractor, MVM is not immune to these inflation impacts. We are seeing increases in every cost center, to include equipment, materials, and personnel. These cost increases were not something that MVM could have anticipated when we bid the project and accepted the contract. As a Woman Owned Small Business and Disadvantaged Business Enterprise, we cannot absorb the impacts associated with these soaring cost increases.

MVM respectfully requests an equitable adjustment to help offset these unprecedented cost increases and allow us to continue performing contract requirements. Additionally, MVM will be prioritizing the projects associated with clients who are willing to provide an equitable adjustment.

We appreciate the partnership we have with you and look forward to continuing that relationship on this and future projects, completing contractual requirements with the quality that you expect. We are prepared to provide you with details associated with the cost increases to illustrate impacts. We request your written response to this request as soon as possible as it is important to us to prioritize our work moving forward. Please contact our Project Manager, Joey Rutkowski, at (850) 866-6826 or jmr@mohawkvalleymaterials.com if you have questions or comments.

Please reference Exhibit A for price increase information.

Respectfully,

A handwritten signature in black ink, appearing to read "Tricia M. Rutkowski", is written over a horizontal line.

Tricia M. Rutkowski
President

Mohawk Valley Materials, Inc.
1914 Black River Blvd N., Rome, NY 13440
P: (315) 507-2538; C: (315) 271-4651
www.mohawkvalleymaterials.com



Mowhawk Valley Materials, Inc. Contract C21-3074-PW Requested Rate Change Summary

		Original Rate	Requested Rate	Increase	
		March 17, 2021	November 15, 2022	\$	%
1	Cost per cubic yard of sand removed	\$ 0.01	\$ 0.01	\$ -	0
2	Cost per cubic yard of sand removed and dropped at County Borrow Pits	\$ 8.43	\$ 8.43	\$ -	0
3	Cost per square yard of placed (loose) lime-rock	\$ 8.28	\$ 10.07	\$ 1.79	22%
4	Cost of compaction/shaping to meet required cross-section *Pursuant to Amendment 1, the cost is per square yard	\$ 0.56	\$ 0.83	\$ 0.27	48%
5	Mobilization per task order	\$ 2,200.00	\$ 4,197.85	\$ 1,997.85	91%

Note: A combination of loose placement (item 3) and compaction (item 4) is requested to go from \$8.84/sy to \$10.90/sy - this is a \$2.06/sy increase, or an approximately 23% increase.

BID RESPONSE
ITB PW 27-21
ROAD STABILIZATION: LIME-ROCK PLACEMENT & COMPACTION

1.	Cost per cubic yard of sand removed	\$ 0.01
2.	Cost per cubic yard of sand removed and dropped at County Borrow Pits	\$ 8.43
3.	Cost per square yard of placed (loose) lime-rock	\$ 8.28
4.	Cost of compaction/shaping to meet required cross-section *Pursuant to Amendment 1, the cost is per square yard.	\$ 0.56
5.	Mobilization per task order	\$ 2,200.00

Date Submitted: March 17, 2021

Submitted By: Mohawk Valley Materials, Inc.



Exhibit A:

Mohawk Valley Materials proposes the following price increases:

1. Cost per cubic yard of sand removal – **Not Applicable**
2. Cost per cubic yard of sand removed and dropped at County Borrow Pits – **Not Applicable**
3. Cost per square yard of placed (loose) lime-rock - **\$10.07**
4. Cost of compaction/shaping to meet required cross-section - **\$.83**
5. Mobilization per task order - **\$4,197.85**

**PROCUREMENT/CONTRACT/LEASE
INTERNAL COORDINATION SHEET**

Procurement/Contract/Lease Number: C21-304-PW Tracking Number: 494423
Procurement/Contractor/Lessee Name: Mohawk Valley Grant Funded: YES ___ NO X
Purpose: 3rd amendment
Date/Term: 9-30-23
Department #: 3301
Account #: 563001
Amount: by task order
Department: PW Dept. Monitor Name: Audy

1. GREATER THAN \$100,000
2. GREATER THAN \$50,000
3. \$50,000 OR LESS

Purchasing Review
Procurement or Contract/Lease requirements are met:
DeRita Mason Date: 10-11-22
Purchasing Manager or designee Jeff Hyde, DeRita Mason, Jessica Darr, Amber Hammonds

2CFR Compliance Review (if required)
Approved as written: no Federal Inv Grant Name: _____
_____ Date: _____
Grants Coordinator Suzanne Ulloa

Risk Management Review
Approved as written: see email attached Date: 10-12-22
_____ Kristina LoFria

County Attorney Review
Approved as written: see email attached Date: 10-27-22
_____ Lynn Hoshihara, Kerry Parsons or Designee

Department Funding Review
Approved as written: _____ Date: _____

IT Review (if applicable)
Approved as written: _____ Date: _____

DeRita Mason

From: Lydia Garcia
Sent: Wednesday, October 12, 2022 10:46 AM
To: DeRita Mason; Lynn Hoshihara
Cc: 'Parsons, Kerry'
Subject: RE: 3rd amendment to C21-3074-PW
Attachments: 3rd amendment c21-3074-pw.docx; Inflation REA.pdf

The attached 3rd Amendment to C21-3074-PW is approved by Risk Management for insurance purposes. The referenced agreement C21-3074-PW insurance requirements are still applicable.



Kind Regards,

Lydia Garcia
Public Records Request & Contracts Specialist

OKALOOSA COUNTY BCC

Risk Management
Direct: 850.689.4111
Fax: 850.689.5973 |
Email: riskinfo@myokaloosa.com

302 N. Wilson St. Suite 301
Crestview, FL 32539

<https://myokaloosa.com/>

Please note: Due to Florida's very broad public records laws, most written communications to or from county employees regarding county business are public records, available to the public and media upon request. Therefore, this written e-mail communication, including your e-mail address, may be subject to public disclosure.

From: DeRita Mason <dmason@myokaloosa.com>
Sent: Tuesday, October 11, 2022 1:54 PM
To: Lynn Hoshihara <lhoshihara@myokaloosa.com>
Cc: 'Parsons, Kerry' <KParsons@ngn-tally.com>; Lydia Garcia <lgarcia@myokaloosa.com>
Subject: 3rd amendment to C21-3074-PW

Good afternoon,
Please review and approve the attached.
Thank you,

DeRita Mason