

SECOND AMENDMENT TO AGREEMENT FOR SUPPLIES AND SERVICES

THIS SECOND AMENDMENT TO AGREEMENT is made and entered into this ____ day of _____, 2023, by and between the City of Merced, a California Charter Municipal Corporation ("City"), and Univar Solutions USA, Inc., a Washington Corporation ("Vendor").

WHEREAS, City requires the supply and delivery of sodium fluoride; and,

WHEREAS, City and Vendor have previously entered into an Agreement for Supplies and Services ("Agreement") dated May 17, 2021, and a First Amendment dated July 1, 2022; and,

WHEREAS, City and Vendor desire to amend said Agreement to exercise the second option to renew the Agreement.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants hereinafter recited, agree as follows:

1. Section 26, "SECOND OPTION TO RENEW," is hereby added to the Agreement to read as follows:

"SECTION 26. SECOND OPTION TO RENEW. The City and Consultant desire to exercise the option to renew the Agreement for one (1) additional year pursuant to Section 1, 'Parties and Term' of the Agreement. The term of this second renewal shall be from July 1, 2023 to June 30, 2024."

2. Section 27, "COMPENSATION DURING SECOND RENEWAL TERM," is hereby added to the Agreement to read as follows:

"SECTION 27. COMPENSATION DURING SECOND RENEWAL TERM. City shall pay Consultant the not to exceed sum of total of One Hundred Fifty Thousand Dollars (\$150,000.00) for supply and delivery of sodium fluoride through Fiscal Year 2023-2024 at the amended unit price listed on Exhibit 1."

3. Except as herein amended, the Agreement dated May 17, 2021, and First Amendment dated July 1, 2022, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Second Amendment to Agreement to be executed on the date first above written.

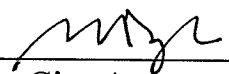
CITY OF MERCED
A California Charter Municipal
Corporation

BY: _____
City Manager

ATTEST:
STEPHANIE R. DIETZ, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

APPROVED AS TO FORM:

BY:  6-12-2023
City Attorney Date

ACCOUNT DATA:

BY: _____
Verified by Finance Officer

VENDOR

DocuSigned by:
BY: Shawnasey McCarthy
10B5E042B5C046D...
(Signature)

Shawnasey McCarthy
(Typed Name)

Its: Municipal Commercial Manager
(Title)

BY: _____
(Signature)

(Typed Name)

Its: _____
(Title)

Taxpayer I.D. No. 91-1347935

ADDRESS: 8201 S. 212th Street
Kent, WA 98032

TELEPHONE: 253-872-5000

FAX: 253-872-5041

E-MAIL: shawnasey.mccarthy@univarsolutions.com

Univar Solutions USA Inc.
8201 S. 212th
Kent, WA 98032-1994
USA

T 253-872-5000
F 253-572-5041
www.univarusa.com



May 2, 2023

City of Merced
Purchasing Division
2525 O St.
Merced, CA 95340

RE: Renewal for Supply of Sodium Fluoride 03252021

Dear Julio;

Univar Solutions USA Inc. is pleased to offer the following renewal price for the Sodium Fluoride contract.

CHEMICAL	QUANTITY	RENEWAL PRICE	UNIT	MIN. ORDER REQUIREMENT?	COMMENTS
16172683 Sodium Fluoride NSF grade	Per Original agreement	\$1.89	Pounds Delivered	Per Original Agreement	Final price negotiated 5/1/2023

Univar will hold this pricing firm for the renewal term of June 18, 2023-June 17, 2024.

All other information presented with/within the original bid/offer, including the agreed upon terms, conditions etc. remain the same.

Thank you for the opportunity to extend the current contract and to continue to supply the City of Merced. We very much appreciate it.

Sincerely,

Jennifer Perras
Municipal Specialist
Western Region
Univar Solutions USA Inc.
P – (253) 872-5000
F – (253) 872-5041
jennifer.perras@univarsolutions.com
Muniteam-west@univarsolutions.com
www.univarsolutions.com

Exhibit 1

Certificate Of Completion

Envelope Id: 0527685F41BA47DB8146DBB927966EFC

Status: Completed

Subject: Second Amendment to Fluoride Contract

Tyler Contract Number:

Source Envelope:

Document Pages: 4

Signatures: 1

Envelope Originator:

Certificate Pages: 5

Initials: 0

Jamie Cruz

AutoNav: Enabled

678 W 18th Street

Envelopeld Stamping: Enabled

Merced, CA 95340

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

cruzj@cityofmerced.org

IP Address: 104.129.192.197

Record Tracking

Status: Original

Holder: Jamie Cruz

Location: DocuSign

6/16/2023 10:14:53 AM

cruzj@cityofmerced.org

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: City of Merced

Location: DocuSign

Signer Events

Shawnasey McCarthy

shawnasey.mccarthy@univarsolutions.com

Municipal Commercial Manager

Univar Solutions USA Inc.

Security Level: Email, Account Authentication
(Optional)**Signature**

DocuSigned by:

10B5E012B5C940D...

Signature Adoption: Pre-selected Style

Using IP Address: 208.127.187.102

Timestamp

Sent: 6/16/2023 10:45:49 AM

Viewed: 6/16/2023 11:17:50 AM

Signed: 6/16/2023 11:18:19 AM

Electronic Record and Signature Disclosure:

Accepted: 6/16/2023 11:17:50 AM

ID: fe762e33-b1d3-4cb8-ba69-4330c89e50cd

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Jennifer Perras

jennifer.perras@univarsolutions.com

Security Level: Email, Account Authentication
(Optional)

Sent: 6/16/2023 10:45:50 AM

Viewed: 6/16/2023 10:47:10 AM

Electronic Record and Signature Disclosure:

Accepted: 6/16/2023 10:43:23 AM

ID: 4e704794-1395-4c0d-b680-45a0df3b5582

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

6/16/2023 10:18:53 AM

Certified Delivered

Security Checked

6/16/2023 11:17:50 AM

Envelope Summary Events	Status	Timestamps
Signing Complete	Security Checked	6/16/2023 11:18:19 AM
Completed	Security Checked	6/16/2023 11:18:19 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Merced (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Merced:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cityclerk@cityofmerced.org

To advise City of Merced of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at cityclerk@cityofmerced.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from City of Merced

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to cityclerk@cityofmerced.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Merced

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to cityclerk@cityofmerced.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify City of Merced as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City of Merced during the course of your relationship with City of Merced.