

AMENDMENT TO CONTRACT
Annual Requirements
Asphaltic Concrete
Bid No. 15-186
City of Lincoln and Lancaster County
Renewal
Cather & Son's Construction, Inc.

This Amendment is hereby entered into by and between Cather & Son's Construction, Inc., P.O. Box 29199, Lincoln, NE 68529 (hereinafter "Contractor") and the City of Lincoln and Lancaster County (hereinafter "Owners"), for the purpose of amending the Contract dated November 2, 2015 executed under City Executive Order No. 88767, and County Contract C-15-0545, dated October 13, 2015 for Annual Requirements - Asphaltic Concrete, Bid No. 15-186, which is made a part of this amendment by this reference.

WHEREAS, the original term of the Contract is November 2, 2015 through November 1, 2016, with the option to renew for three (3) additional one (1) year terms upon written mutual consent by all parties; and

WHEREAS, the Contract was amended by City Executive Order No. 89991, executed by the City on October 26, 2016, and by County Contract C-16-0616 executed by the County Board on October 18, 2016, to renew the contract for an additional term from November 2, 2016 through November 1, 2017; and

WHEREAS, the Contract was amended by City Executive Order No. 91213, executed by the City on October 30, 2017, and by County Contract C-17-0838 executed by the County Board on October 31, 2017, to renew the contract for an additional term from November 2, 2017 through November 1, 2018; and

WHEREAS, the parties hereby renew the Contract for an additional one (1) year term beginning November 2, 2018 through November 1, 2019; and

WHEREAS, "Contracted Vendors" shall mean all vendors who contract or who have contracted with the Owners pursuant to Bid No. 15-186 for Annual Requirements - Asphaltic Concrete; and

WHEREAS, "Contracts" shall mean the collective contracts entered into between the Owners and the Contracted Vendors pursuant to Bid No. 15-186 for Annual Requirements – Asphaltic Concrete, including all amendments thereto; and

WHEREAS, the expenditures for the City of Lincoln Public Works and Utilities Department - Street Maintenance for the term of this renewal shall not exceed \$205,000.00 for Contracts without approval by the City of Lincoln; and

WHEREAS, the expenditures for Lancaster County for the term of this renewal shall not exceed \$27,750.00 for Contracts during the contract term without prior approval by the Lancaster County Board of Commissioners; and

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants contained in the Contract under City Executive Order No. 88767 and County Contract C-15-0545, all amendments thereto, and as stated herein, the parties agree as follows:

- 1) The parties hereby renew the Contract for an additional one (1) year term beginning November 2, 2018 through November 1, 2019.
- 2) The expenditures for the City of Lincoln Public Works and Utilities Department - Street Maintenance for the term of this renewal shall not exceed \$205,000.00 for Contracts without approval by the City of Lincoln.
- 3) The expenditures for Lancaster County for the term of this renewal shall not exceed \$27,750.00 for Contracts during the contract term without prior approval by the Lancaster County Board of Commissioners.
- 4) All other terms of the Contract, not in conflict with this Amendment, shall remain in force and effect.

The Parties do hereby agree to all the terms and conditions of this Amendment. This Amendment shall be binding upon the parties, their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Parties do hereby execute this Amendment upon completion of signatures on:

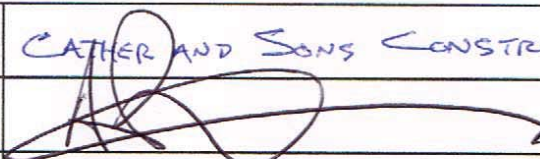
Vendor Signature Page
City of Lincoln Signature Page
Lancaster County Signature Page

Vendor Signature Page

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Please sign, date and return within 5 days of receipt.

Mail to: City/County Purchasing
Attn: Chris Lollar
440 So. 8th St., Ste. 200
Lincoln, NE 68508
Or email to: clollar@lincoln.ne.gov

Company Name:	CATHER AND SONS CONSTRUCTION, INC.
By: (Please Sign)	
By: (Please Print)	ADAM PETSCH
Title:	PRESIDENT
Company Address:	P.O. BOX 29199
Company Phone & Fax:	P: (402) 464-2113 F: (402) 464-6759
E-Mail Address:	CATHERANDSONS@GMAIL.COM
Date:	10/8/18
Contact Person for Orders or Service	ROD KINNISON
Contact Phone Number:	(402) 429-7626

City of Lincoln Signature Page

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EXECUTION BY THE CITY OF LINCOLN, NEBRASKA

ATTEST:

City Clerk

CITY OF LINCOLN, NEBRASKA

Chris Beutler, Mayor

Approved by Executive Order No. _____

dated _____

Lancaster County Signature Page

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EXECUTION BY LANCASTER COUNTY, NEBRASKA

Contract Approved as to Form:

The Board of County Commissioners of
Lancaster, Nebraska

Deputy Lancaster County Attorney

dated _____