



AGREEMENT AMENDMENT NO. 1
Agreement No. FDOT-GSA-2023

For
General Services Administration Multiple Award Schedule

This Amendment to Agreement No. FDOT-GSA-2023, Agency Alternate Contract Source for General Services Administration Multiple Award Schedule (Agreement), is between the Department of Management Services (DMS), an agency of the State of Florida (State), located at 4050 Esplanade Way, Tallahassee, FL 32399; and the Florida Department of Transportation (FDOT), also an agency of the State, located at 605 Suwannee Street, MS 20, Tallahassee, FL 32399; collectively referred to herein as the “Parties.”

WHEREAS, DMS is authorized by section 287.042(16), Florida Statutes:

To evaluate contracts let by the Federal Government, another state, or a political subdivision for the provision of commodities and contract services, and, if it is determined by the Secretary of Management Services in writing to be cost-effective and the best value to the state, to enter into a written agreement authorizing an agency to make purchases under such contract;

WHEREAS, the Parties entered into the Agreement to authorize use of the General Services Administration’s competitively procured contracts available under the Multiple Award Schedule (MAS); and

WHEREAS, the Parties now wish, pursuant to section 5, “Modifications”, to amend the Agreement as specified below.

NOW THEREFORE, in consideration of the mutual promises contained herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Amendment.** Section 3.b. of the Agreement is hereby replaced with the following:
 - b. Other Alternate Contract Sources. Prior to making any purchase off the MAS, FDOT shall determine in writing that the contractual services or commodities are not available on another Alternate Contract Source (“ACS”) established pursuant to section 287.042(16) or section 287.057(3)(b), Florida Statutes, or FDOT shall determine in writing that the MAS offers best value after requesting and comparing quotes obtained through an ACS and MAS. If the products or services being sought are also available on another enterprise ACS, and FDOT has identified the MAS offering as the best value, FDOT must include a written justification statement in its contract file and the purchase order, as applicable, demonstrating that the MAS purchase is the best value.

2. **Warranty of Authority.** Each person signing this Amendment warrants that he or she is duly authorized to do so and to bind the respective party.
3. **Conflict.** To the extent any of the terms of this Amendment conflict with the terms of the Agreement, the terms of this Amendment shall control.
4. **Effect.** Unless otherwise modified by this Amendment, all terms and conditions contained in the Agreement shall continue in full force and effect. This Amendment is effective when signed by both Parties.

IN WITNESS THEREOF, the Parties hereto have executed this Amendment by their duly authorized undersigned officials.

**FLORIDA DEPARTMENT OF
TRANSPORTATION**

DocuSigned by:

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Carla Perry,
Procurement Manager

9/6/2024 | 10:37 AM EDT

Date: _____

**DEPARTMENT OF MANAGEMENT
SERVICES**

DocuSigned by:

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Brandon Spencer,
Director of State Purchasing

9/19/2024 | 10:51 AM EDT

Date: _____