

SUPPLEMENTAL AGREEMENT II
TO
CONTRACT ON BID # 2016-170

WHEREAS, The Contract and bid package #2016-170 POLYMER MODIFIED ASPHALT CEMENT AC-15P, including the Cover Sheet, Instructions, Specifications, and Bid Sheet(s) for the item(s) being published for competitive bid, were solicited pursuant to Texas Local Government Code 262.021; and

WHEREAS, The Comal County Commissioners Court as the governing body of Comal County did on April 7, 2016 award a contract to MARTIN PRODUCT SALES, LLC dba MARTIN ASPHALT COMPANY for furnishing POLYMER MODIFIED ASPHALT CEMENT AC-15P in quantities and at prices as set forth in said bid package; and

WHEREAS, The Comal County Commissioners Court and MARTIN PRODUCT SALES, LLC dba MARTIN ASPHALT COMPANY, intend to extend the contract executed, by and between said parties, on April 7, 2016 by entering into this Supplemental Agreement II; and

THEREFORE, Knowing all men by these present, that this Supplemental Agreement is entered into by Comal County, Texas (hereinafter called "County") and MARTIN PRODUCT SALES, LLC dba MARTIN ASPHALT COMPANY. (hereinafter called "Vendor").

I.
SUPPLEMENTAL AGREEMENT

This SUPPLEMENTAL AGREEMENT dated this 29th day of March, 2018, to the Contract on Bid #2016-170 executed on April 7, 2016, by and between the County and Vendor for the purchase of POLYMER MODIFIED ASPHALT CEMENT AC-15P, sets forth the following terms and conditions:

II.
ADDITIONAL TERMS

- 1.1 PRICE: The County shall purchase and the Vendor shall provide POLYMER MODIFIED ASPHALT CEMENT AC-15P, at the price as indicated in the original bid document #2016-170, attached hereto and incorporated herein by reference.
- 1.2 TERM: The term of this Contract is for one (1) year, beginning APRIL 8, 2018.
- 1.3 This agreement is nonexclusive and in no way restricts the County's ability to competitively bid for the same or similar materials and services or the County's sole discretion to contract for such materials and services with other vendors.
- 1.4 This Supplemental Agreement, with the entire bid package and Contract incorporated herein including any required supporting literature, brochures, and/or data sheets or sample, constitutes the sole agreements of the parties to the agreement and supersedes all oral or written previous and contemporary agreements between the parties and relating to matters herein.
- 1.5 No amendment, modification or alteration of the terms of this supplemental agreement shall be binding unless same is in writing, dated subsequent to the date of this supplemental agreement, and duly executed by authorization representatives of each party.

IN TESTIMONY WHEREOF: Witness our hands at New Braunfels, Texas, effective as of the date above.

**MARTIN PRODUCT SALES, LLC
dba MARTIN ASPHALT COMPANY**

COMAL COUNTY

BY: _____
AUTHORIZED AGENT

BY: _____
PURCHASING AGENT

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