

**AMENDMENT TO BID NO. 09-194
FOR THE ANNUAL REQUIREMENTS OF ABB METER PARTS, BID NO. 09-194
AGREEMENT FOR CITY FINAL RENEWAL**

This Amendment is hereby entered into on this 30 day of July, 2012 by and between Elster AMCO Water, Inc., 1100 SW 38th Avenue, Ocala, FL 34474 (hereinafter "Contractor") and City of Lincoln (hereinafter "City"), for the purpose of amending an Agreement dated September 4, 2009, under D. O. No. 2679, (the "Agreement"), for The Annual Requirements of ABB Meter Parts, Bid No. 09-194, which is made a part hereof by this reference.

WHEREAS, the original term of the Agreement is August 1, 2009 thru July 31, 2010, with the option to extend for three (3) additional one (1) year periods upon written mutual consent of both parties; and

WHEREAS, the parties wish to extend the agreement for an additional one (1) year term beginning August 1, 2012 thru July 31, 2013; and

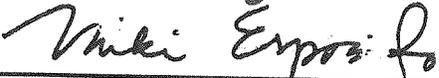
NOW, THEREFORE, IN CONSIDERATION of the mutual covenants stated herein the parties agree as follows:

- 1) The term of the Agreement shall be from August 1, 2012 thru July 31, 2013.
- 2) All other terms of the Agreement, not in conflict with this Amendment, shall remain in full 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.

Official City Use Only

Dated this <u>30</u> day
of <u>July</u> 2012

Public Works & Utilities Director

Supplier, please fill in the date and following information and mail back to our office; a faxed copy is not acceptable.

Executed this 13th day of July, 2012

Company Name: (PLEASE PRINT)	
By: (PLEASE PRINT)	<u>John L. Southland</u>
By: (PLEASE SIGN)	
Title:	<u>VP FinanceCFO</u>
Company Address: (PLEASE PRINT)	<u>Elster AMCOwater, LLC</u>
Company Phone & Fax: (PLEASE PRINT)	<u>800 374 0890 352 360 6581</u>
E-Mail Address: (PLEASE PRINT)	<u>1100 Sw38th St. Ocala, fl 34474</u>

**AMENDMENT TO SPEC. NO. 09-194
AGREEMENT FOR CITY SECOND RENEWAL OF THREE RENEWALS**

This Amendment is hereby entered into on this 1st day of July, 2011, by and between Elster AMCO Water, Inc., 1100 SW 38th Avenue, Ocala, FL 34474 (hereinafter "Contractor") and City of Lincoln (hereinafter "City"), for the purpose of amending an Agreement dated September 4, 2009, under D. O. No. 2679, (the "Agreement"), for The Annual Supply of ABB Meter Parts, Bid No. 09-194, which is made a part hereof by this reference.

WHEREAS, the original term of the Agreement is August 1, 2009 thru July 31, 2010, with the option to extend for three (3) additional one (1) year periods upon written mutual consent of both parties; and

WHEREAS, the parties wish to extend the agreement for an additional one (1) year term (second renewal of three renewals) beginning August 1, 2011 thru July 31, 2012; and

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants stated herein the parties agree as follows:

- 1) The term of the Agreement shall be from August 1, 2011 thru July 31, 2012.
- 2) All other terms of the Agreement, not in conflict with this Amendment, shall remain in full 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.

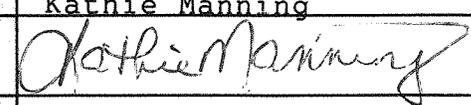
IN WITNESS WHEREOF, the Parties do hereby execute this Amendment.

Official City Use Only

Dated this <u>1st</u> day
of <u>July</u> 2011
 _____ Public Works & Utilities Director

Supplier, please fill in the date and following information and mail back to our office; a faxed copy is not acceptable.

Executed this 21st day of June, 2011

Company Name: (PLEASE PRINT)	Elster AMCo Water, LLC
By: (PLEASE PRINT)	Kathie Manning
By: (PLEASE SIGN)	
Title:	Bid ^Proposals coordinator
Company Address: (PLEASE PRINT)	1100 SW 38th Ave Ocala, FL 34474
Company Phone & Fax: (PLEASE PRINT)	800-874-0890 352-368-1950
E-Mail Address: (PLEASE PRINT)	www.watermeters.us.elster.com

**AMENDMENT TO SPEC. NO. 09-194
AGREEMENT FOR CITY FIRST RENEWAL**

This Amendment is hereby entered into on this _____ day of _____, 2010, by and between **Elster AMCO Water, Inc., 1100 SW 38th Avenue, Ocala, FL 34474** (hereinafter "Contractor") and **City of Lincoln** (hereinafter "City"), for the purpose of amending an Agreement dated **September 4, 2009**, under D. O. No. **2679**, (the "Agreement"), for **The Annual Supply of ABB Meter Parts, Bid No. 09-194**, which is made a part hereof by this reference.

WHEREAS, the original term of the Agreement is **August 1, 2009 thru July 31, 2010**, with the option to extend for three (3) additional **one (1) year periods** upon written mutual consent of both parties; and

WHEREAS, the parties wish to extend the agreement for the additional one (1) year term (**first renewal**) beginning **August 1, 2010 thru July 31, 2011**; and

NOW, THEREFORE, IN CONSIDERATION of the mutual covenants stated herein the parties agree as follows:

- 1) The term of the Agreement shall be from **August 1, 2010 thru July 31, 2011**.
- 2) All other terms of the Agreement, not in conflict with this Amendment, shall remain in full 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.

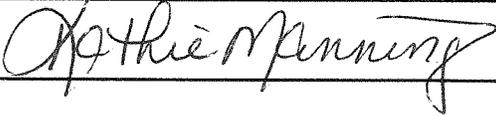
Official City Use Only

Dated this _____ day of _____ 2010

Public Works & Utilities Director

Supplier, please fill in the date and following information and mail back to our office; a faxed copy is not acceptable.

Executed this 22nd day of June, 2010

Company Name: (PLEASE PRINT)	Elster AMCO Water, Inc.
By: (PLEASE PRINT)	Kathie Manning O Bid ^Proposals Coordinator
By: (PLEASE SIGN)	
Title:	
Company Address: (PLEASE PRINT)	1100 SW38th Ave Ocala Fl 34474
Company Phone & Fax: (PLEASE PRINT)	800-874-0890 352-369-6581
E-Mail Address: (PLEASE PRINT)	watermeters@us.elster.com

COPY

CONTRACT DOCUMENTS

***City of Lincoln
Nebraska***

**Rebid of the Annual supply of ABB Meter Parts
Bid No. 09-194**

**Elster AMCO Water, Inc.
Kathie Manning
1100 SW 38th Ave.
Ocala, FL 34474
Phone: 800.874.0890 X6517**

**Contract Period:
August 1, 2009 thru July 31, 2010
(First year with the option to renew for three additional one-year periods.)**

City of Lincoln, Nebraska Contract Agreement

THIS CONTRACT, made and entered into this _____ day of _____, 2009, by and between **Elster AMCO Water, Inc., 1100 SW 38th Ave., Ocala, FL 34474** hereinafter called contractor, and the City of Lincoln, Nebraska, a municipal corporation, hereinafter called the City.

WITNESS, that:

WHEREAS, the City has caused to be prepared, in accordance with law, Specifications, Plans, and other Contract Documents for the Work herein described, and has approved and adopted said documents and has caused to be published an advertisement for and in connection with said Work, to-wit:

Rebid of the Annual Supply of ABB Meter Parts, Bid No. 09-194 and,

WHEREAS, the Contractor, in response to such advertisement, has submitted to the City, in the manner and at the time specified, a sealed Proposal in accordance with the terms of said advertisement; and,

WHEREAS, the City, in the manner prescribed by law has publicly opened, read aloud, examined, and canvassed the Proposals submitted in response to such advertisement, and as a result of such canvass has determined and declared the Contractor to be the lowest responsible bidder for the said Work for the sum or sums named in the Contractor's Proposal, a copy thereof being attached to and made a part of this Contract;

NOW, THEREFORE, in consideration of the sums to be paid to the Contractor and the agreements herein contained, the Contractor and the City have agreed and hereby agree as follows:

The Contractor agrees to (a) furnish all tools, equipment, supplies, superintendence, transportation, and other construction accessories, services, and facilities; (b) furnish all materials, supplies, and equipment specified to be incorporated into and form a permanent part of the complete work; (c) provide and perform all necessary labor in a substantial and workmanlike manner and in accordance with the provisions of the Contract Documents; and (d) execute construct, and complete all Work included in and covered by the City's award of this Contract to the Contractor, such award being based on the acceptance by the City of the Contractor's Proposal, or part thereof, as follows:

Agreement to full proposal

The City agrees to pay to the Contractor for the performance of the Work embraced in this Contract, the Contractor agrees to accept as full compensation therefore, the following sums and prices for all Work covered by and included in the Contract award and designated above, payment thereof to be made in the manner provided by the City:

Contract amount to be purchased as needed at the Unit Price provided in the bid.

City of Lincoln, Nebraska Contract Agreement

The term of agreement shall be one (1) year from **August 1, 2009 thru July 31, 2010**; with option to renew for three (3) additional one (1) year terms.

GUARANTEE:

A performance bond and payment bond in the full amount of the contract shall be required for all construction contracts. These bonds shall remain in effect during the guarantee period as stated in the specifications.

The Contract Documents comprise the Contract, and consist of the following:

1. The Instructions to Bidders
2. The Accepted Proposal
3. The Contract Agreements
4. The Specifications
- *5. The Special Provisions, if applicable

City of Lincoln, Nebraska Contract Agreement

These Contract Agreements, together with the other Contract Documents herein above mentioned, form this Contract, and they are as fully a part of the Contract as if hereto attached or herein repeated.

The Contractor and the City hereby agree that all the terms and conditions of this Contract shall by these presents be binding upon themselves, and their heirs, administrators, executors, legal and personal representatives, successors, and assigns.

IN WITNESS WHEREOF, the Contractor and the City do hereby execute this contract.

EXECUTION BY THE CITY OF LINCOLN, NEBRASKA

ATTEST:

Jean E. Roesch
City Clerk



CITY OF LINCOLN, NEBRASKA

Greg McNeil
Public Works & Utilities Director

Approved by:

02679

Directorial Order No. _____

EXECUTION BY CONTRACTOR

IF A CORPORATION:

ATTEST:

Ann Shannon (SEAL)
Secretary Ann Shannon
Bid Support Coordinator

Elster AMCO Water, Inc.

Name of Corporation

1100 SW38th Ave, Ocala, Fl O 34474

Address

By:

Kathie Manning

Duly Authorized Official

Bid + Proposals Coordinator

Legal Title of Official

IF OTHER TYPE OF ORGANIZATION:

Name of Organization

Type of Organization

Address

By: _____

Member

By: _____

Member

IF AN INDIVIDUAL:

Name

Address

Signature

City of Lincoln/Lancaster County (Lincoln Purchasing) Supplier Response

Bid Information		Contact Information		Ship to Information
Bid Creator	Tom Kopplin Asst. Purchasing Agent	Address	Purchasing\City & County 440 S. 8th St. Lincoln, NE 68508	Address
Email		Contact	Tom Kopplin Asst. Purchasing Agent	Contact
Phone	1 (402) 441-7414			Department
Fax	1 (402) 441-6513			Building
Bid Number	09-194	Department		Floor/Room
Title	Re-bid of the Annual Supply of ABB Meter Parts	Building		Telephone
Bid Type	Bid	Floor/Room		Fax
Issue Date	07/16/2009	Telephone	1 (402) 441-7414	Email
Close Date	8/5/2009 12:00:00 PM CST	Fax	1 (402) 441-6513	
Need by Date		Email	tkopplin@lincoln.ne.gov	

Supplier Information

Company	Elster AMCO Water Inc.
Address	1100 SW 38th Ave Ocala, FL 34474
Contact	Kathie Manning
Department	
Building	
Floor/Room	
Telephone	1 (800) 8740890 6517
Fax	1 (352) 3681950
Email	kathie.manning@us.elster.com
Submitted	7/17/2009 8:45:17 AM CST
Total	\$4,646.06

Signature _____

Supplier Notes

Elster AMCO is please to offer Lincoln NE, 20% off parts price list. Excluding items 17 - 33. These parts must be ordered as a complete Measuring Element Assembly (See item #51 on Parts Price List)

Bid Notes

If you need assistance in preparing your bid, there are several options.

1) Click the the "Help" button in the upper right hand corner of any screen; 2) Contact our office for a training session in Purchasing or assistance over the phone; 3) View the PowerPoint presentation at <http://www.lincoln.ne.gov/city/finance/purch/spec/veninst.ppt>

Bid Messages

Please review the following and respond where necessary

#	Name	Note	Response
1	Electronic Signature	Please check here for your electronic signature.	Yes
2	Instructions to Bidders	I acknowledge reading and understanding the Instructions to Bidders.	Yes
3	Special Provisions for Commodity Term Contracts	I acknowledge reading and understanding the Special Provisions for Commodity Term Contracts.	Yes
4	Term	I understand that if awarded this bid, an Annual Supply Contract will be issued for the supply of the bid items for the period from August 1, 2009 through July 31, 2010 with the mutually agreeable option for renewal for three (3) additional one year terms.	Yes
5	Term Clause of Contract	(a) Bid prices firm for the full contract period. YES or NO (b) Bid prices subject to escalation/de-escalation YES or NO (c) If (b), state period for which prices will remain firm: through _____	Prices firm for one year.
6	Renewal is an Option	Contract Extension Renewal is an option.	Yes
7	Kindred Pricing	Kindred pricing for City, i.e., list percent off, catalog number, or other method approved by City. (XX% off of the (year) catalog)	20% off parts price list. Excluding items 17 - 33. These parts must be ordered as a complete Measuring Element Assembly (item #51)
8	Delivery	I acknowledge that delivery should be F.O.B. to: City of Lincoln Water Distribution, 2021 North 27th Street, Lincoln, NE 68503.	Yes
9	Contact	Name of person submitting this bid:	Kathie Manning

Line Items

#	Qty	UOM	Description	Response
1	1	EA	Measuring Element for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
Item Notes:				
Supplier Notes: Measuring Element can no longer be ordered separately. Must be ordered as a complete system under Measuring Element Assembly. See Item #9 below for pricing.				
2	1	EA	Front Radial Bearing for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
Item Notes:				
Supplier Notes: Front Radial Bearing can no longer be ordered separately. Must be ordered as a complete system under Measuring Element Assembly. See Item # 9 below for pricing				
3	1	EA	Front Thrust Bearing for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
Item Notes:				
Supplier Notes: Front Thrust Bearing can no longer be ordered separately. Must be ordered as a complete system under Measuring Element Assembly. See Item # 9 below for pricing				
4	2	EA	Rotor complete for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
Item Notes:				
Supplier Notes: Rotor Complete can no longer be ordered separately. Must be ordered as a complete system under Measuring Element Assembly. See Item # 9 below for pricing				
5	1	EA	Vertical worm shaft for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
Item Notes:				
Supplier Notes: Item can no longer be ordered separately. Must be ordered as a complete system under Measuring Element Assembly. See Item # 9 below for pricing				
6	1	EA	Undergear, complete, for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
Item Notes:				
Supplier Notes: Item can no longer be ordered separately. Must be ordered as a complete system under Measuring Element Assembly. See Item # 9 below for pricing				
7	15	EA	3" pit register C/F less ERT for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$118.50
Item Notes:				
Supplier Notes: *Includes 25ft cable with in-line connector				

8	1	EA	Changeover Valve assembly for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$317.12
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Item Notes:

Supplier Notes:

9	1	EA	Measuring element assembly for 3" Bronze C-3000 Compound Potable Cold Water Meters.	\$364.06
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Item Notes:

Supplier Notes: **as noted for Items 1 - 6. These items can only be ordered by purchasing the complete measuring element assembly.

10	1	EA	Measuring element assembly for 4" Bronze C-3000 Compound Potable Cold Water Meters.	\$321.26
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Item Notes:

Supplier Notes:

11	1	EA	Front Radial Bearing for 4" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
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Item Notes:

Supplier Notes: See item # 10 above. Front Radial Bearing can no longer be purchased separately.

12	1	EA	Front Thrust Bearing for 4" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
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Item Notes:

Supplier Notes: See item # 10 above. Front Thrust can no longer be purchased separately.

13	1	EA	Rotor complete for 4" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
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Item Notes:

Supplier Notes: See item # 10 above. Rotor can no longer be purchased separately..

14	1	EA	Vertical worm shaft for 4" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
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Item Notes:

Supplier Notes: See item # 10 above. Vertical worm can no longer be purchased separately.

15	1	EA	Undergear, complete, for 4" Bronze C-3000 Compound Potable Cold Water Meters.	\$0.00
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Item Notes:

Supplier Notes: See item # 10 above. Undergear can no longer be purchased separately.

16	10	EA	4" pit register C/F less ERT for 4" Bronze C-3000 Compound Potable Cold Water Meters.	\$118.50
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Item Notes:

Supplier Notes: * Include 25ft cable with in-line connector

17	1	EA	Inlet pipe assembly with gaskets for 2" Bronze C-3000 Compound Potable Cold Water Meters.	\$52.00
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Item Notes:

Supplier Notes:

18	1	EA	Outlet pipe assembly with gaskets for 2" Bronze C-3000 Compound Potable Cold Water Meters.	\$61.70
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Item Notes:

Supplier Notes:

19	1	EA	Changeover valve assembly with gaskets for 2" Bronze C-3000 Compound Potable Cold Water Meters.	\$229.18
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Item Notes:

Supplier Notes:

20	1	EA	Measuring element for 2" Bronze C-3000 Compound Potable Cold Water Meters.	\$239.06
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Item Notes:

Supplier Notes:

21	3	EA	Measuring chamber for 3/4" X 3/4" Bronze C-700 Compound Potable Cold Water Meters.	\$33.06
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Item Notes:

Supplier Notes:

Response Total:	\$4,646.06
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