

State of Washington
Contracts & Procurement Division
Department of Enterprise Services
P.O. Box 41411
Olympia, WA 98504-1411

Ferguson Enterprise
4100 W Marginal Way SW
Seattle, WA 98106

**FIRST AMENDMENT
TO
CONTRACT No. 01118
PLUMBING FIXTURES AND SUPPLIES**

This First Amendment (“Amendment”) to Contract No. 01118 is made and entered into by and between the State of Washington acting by and through the Department of Enterprise Services, a Washington State governmental agency (“State”) and Ferguson Enterprise, a Virginia corporation (“Contractor”) and is dated and effective as of June 20, 2020.

RECITALS

- A. State and Contractor (collectively the “Parties”) entered into that certain Contract No. 01118 for Plumbing Fixtures and Supplies dated effective as of July 1, 2018 (“Contract”).
- B. The amendment set forth herein is within the scope of the Contract.
- C. The Parties now desire to amend the Contract as set forth herein.

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth herein, the Parties hereby agree to amend the Contract, as previously amended, as follows:

1. **PRODUCTS COVERED.** The Contract is amended to add products to Exhibit B, as set forth in the attached Exhibit 1.
2. **NO CHANGE OTHER THAN AMENDMENT.** Except as amended herein, the Contract is unaffected and remains in full force and effect.
3. **INTEGRATED AGREEMENT; MODIFICATION.** This Amendment constitutes the entire agreement and understanding of the Parties with respect to the subject matter and supersedes all prior negotiations and representations. In the event of any conflict between this Amendment and the Contract or any earlier amendment, this Amendment shall control and govern. This Amendment may not be modified except in writing signed by the Parties.
4. **AUTHORITY.** Each party to this Amendment, and each individual signing on behalf of each party, hereby represents and warrants to the other that it has full power and authority to enter into this Amendment and that its execution, delivery, and performance of this Amendment has been fully authorized and approved, and that no further approvals or consents are required to bind such party.

5. ELECTRONIC SIGNATURES. A signed copy of this Amendment or any other ancillary agreement transmitted by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Amendment or such other ancillary agreement for all purposes.
6. COUNTERPARTS. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, and all of which counterparts together shall constitute the same instrument which may be sufficiently evidenced by one counterpart. Execution of this Amendment at different times and places by the parties shall not affect the validity thereof so long as all the parties hereto execute a counterpart of this Amendment.

EXECUTED AND EFFECTIVE as of the day and date first above written.

**FERGUSON ENTERPRISE,
A VIRGINIA CORPORATION**

By: Michael Kain
Name: Michael Kain
Title: Area Sales Manager
Date: 06/15/20

**STATE OF WASHINGTON
DEPARTMENT OF ENTERPRISE SERVICES**

By: Leslie Edwards
Name: Leslie Edwards
Title: Contracts Specialist
Date: 6/16/2020

Exhibit 1

Manufacturer	Product Type	Basis	% Discount or Cost + %	Catalog Date	Link to Catalog
J.L.WINGERT COMPANY	SPECIALIZED ITEMS	List x	5%	Current	http://jlwingert.com
GENERAL TREATMENT PRODUCTS, INC.	SPECIALIZED ITEMS	List x	18%	Current	http://www.gtpcompany.com
SEAMETRICS	METER	Cost +	18%		http://www.seametrics.com