



**AMENDMENT NUMBER FIVE
TO
REGIONAL COOPERATIVE AGREEMENT RCA-017-17010014
BETWEEN
COUNTY OF ORANGE
AND
WAXIE'S ENTERPRISES, LLC
FOR
COMPREHENSIVE OPERATIONAL AND JANITORIAL SUPPLIES SOLUTIONS**

This Amendment Number Five (hereinafter "Amendment") to Contract Number RCA-017-17010014 is made and entered into upon execution of all necessary signatures by and between the County of Orange, a political subdivision of the State of California, (hereinafter "County") and Waxie's Enterprises, LLC (formerly Waxie's Enterprises, Inc.), with a place of business at 3220 S. Fairview St., Santa Ana, CA 92704 (hereinafter "Contractor"), with County and Contractor sometimes referred to individually as "Party" or collectively as "Parties".

RECITALS

WHEREAS the National Cooperative Purchasing Alliance (NCPA) and Texas Region 14 Education Center issued Contract Number NCPA 02-27 with Waxie Enterprises Inc., dba Waxie Sanitary Supply for comprehensive operational and janitorial supplies solutions, and

WHEREAS Parties entered into a Regional Cooperative Agreement Number RCA-017-7010014 (hereinafter "Contract") for Comprehensive Operational and Janitorial Supplies Solutions for the County of Orange, effective July 1, 2017 through and including April 30, 2019; and

WHEREAS Parties executed Amendment One to modify Article 2 "Contract Term" to reference the correct Cooperative Contract, changing US Communities and Prince William County Agreement to National Cooperative Purchasing Alliance (NCPA) and Texas Region 14 Education Center, effective May 1, 2019, and

WHEREAS the National Cooperative Purchasing Alliance (NCPA) and Texas Region 14 Education Center issued a modification to Contract Number NCPA 02-27 to extend the contract for an additional three-year term, effective May 1, 2019 through and including April 30, 2022, and

WHEREAS Parties executed Amendment Two to renew the Contract for an additional three-year term, effective May 1, 2019 through and including April 30, 2022, and to revise Article S "Change of Ownership", and

WHEREAS the National Cooperative Purchasing Alliance (NCPA) and Texas Region 14 Education Center issued a modification to Contract Number NCPA 02-27 to update the Catalog Price List, and

WHEREAS Parties executed Amendment Three to revise Attachment B-Compensation and Payment Terms, effective July 1, 2019, to update the Catalog Price List, and

WHEREAS the National Cooperative Purchasing Alliance (NCPA) and Texas Region 14 Education Center issued a modification to Contract Number NCPA 02-27 to update the Catalog Price List and to accept a temporary price increase on gloves to market value based on time of fulfillment (not order), effective May 1, 2020, and

WHEREAS Parties executed Amendment Four to revise Attachment B-Compensation and Payment Terms, effective August 26, 2020, and

WHEREAS on October 15, 2020 Contractor informed County that Waxie's Enterprises, Inc. converted from a corporation to an LLC, effective May 11, 2020, and

WHEREAS on October 23, 2020, The National Cooperative Purchasing Alliance (NCPA) and Texas Region 14 Education Center issued a modification to Contract Number NCPA 02-27 accepting the contractor's conversion from a corporation to an LLC effective May 11, 2020, and

WHEREAS Parties desire to change Contractor name from "Waxie Enterprises, Inc. dba Waxie Sanitary Supply" to "Waxie's Enterprises, LLC dba WAXIE Sanitary Supply", effective May 12, 2020.

NOW THEREFORE Parties agree to amend Contract as follows:

1. Contractor's name is changed from "Waxie Enterprises, Inc. dba Waxie Sanitary Supply" to "Waxie's Enterprises, LLC dba WAXIE Sanitary Supply", effective May 12, 2020.

This Amendment modifies the Contract only as expressly set forth herein. Wherever a conflict in the terms or conditions of this Amendment and the Contract including earlier amendments exists, the terms and conditions of this Amendment shall prevail. In all other respects, the terms and conditions of the Contract, including its earlier amendments, remain unchanged, in full force and effect.

CONTRACT SIGNATURE PAGE

The Parties hereto have executed this Amendment on the dates shown opposite their respective signatures below.

WAXIE'S ENTERPRISES, LLC

*Pursuant to California Corporation Code Section 313, if Contractor is a Corporation, two (2) signatures are required: one (1) signature by the Chairman of the Board, the President or any Vice President, and one (1) signature by the Secretary, any Assistant Secretary, the Chief Financial Officer of any Assistant Treasurer. In the alternative, a single corporate signature is acceptable when accompanied by a corporate resolution demonstrating the legal authority of the signatory to bind the corporation.

Alice Sawaya VP General Manager

Print Name <small>DocuSigned by:</small> <i>Alice Sawaya</i>	Title
<small>F6F14D9F628E407...</small>	11/3/2020
Signature	Date
Grant Holm	CFO

Print Name <small>DocuSigned by:</small> <i>Grant Holm</i>	Title
<small>D40B2BAF7DEF406...</small>	11/3/2020
Signature	Date

COUNTY OF ORANGE, a political subdivision of the State of California

Yarida Guzman Procurement Contract Specialist

Print Name <small>DocuSigned by:</small> <i>Yarida Guzman</i>	Title
<small>580F240C754A4CF...</small>	11/3/2020
Signature	Date