

AMENDMENT TO ORDER TERMS

THIS AMENDMENT TO ORDER TERMS (this "Amendment"), dated as of July 10, 2023, is made by and between Seagrave Fire Apparatus, LLC., 105 East 12th Street, Clintonville, WI 54929-1518 ("Seagrave") and Lexington-Fayette Urban County Government, 219 East Third Street, Lexington, KY 40508 ("Purchaser") and, together with Seagrave, the "Parties").

BACKGROUND

This Amendment applies to each order, contract, agreement, instrument, term or undertaking (collectively, the "Order Terms") relating to two (2) unit(s) of Seagrave custom fire apparatus, model DB50CA, Seagrave Custom Capitol Pumper, numbered SO 78L94 and 78L95 (the "Apparatus"), including, without limitation, the Contract between Seagrave Fire Apparatus, LLC and Lexington-Fayette, Urban County Government dated September 7, 2021, and P.O. #LF00184570 between Lexington-Fayette Urban County Government, Lexington, KY and Seagrave Fire Apparatus, LLC, dated September 7, 2021. The manufacture and delivery of the Apparatus under the Order Terms as in effect prior to this Amendment (the "Original Order Terms") has become commercially impracticable. The Parties desire to enter into this Amendment to provide for an equitable modification of the Original Order Terms.

NOW, THEREFORE, for and in consideration of the premises, the covenants contained in this Amendment and the Order Terms, and other good and valuable consideration, the receipt, sufficiency and adequacy of which are acknowledged by the Parties, the Parties hereby agree as follows:

1. Material Price Increase. The Original Order Terms are hereby amended to add a surcharge in the amount of Two Hundred Twenty-Four Thousand Nine Hundred Ninety-Eight Dollars (\$224,998) (the "Material Price Increase") and shall be due and payable by Purchaser to Seagrave upon delivery and acceptance of the Apparatus and prior to the Apparatus being placed into fire service. The Material Price Increase shall be payable in addition to the amounts otherwise payable under the Original Order Terms. This is a one-time Material Price Increase, and no additional Material Price Increased will be added to the Original Order Terms.


2. Prepayment Discount. The Original Terms are hereby amended to include an additional discount of Thirty Thousand Six Hundred and Two Dollars (\$30,602) based on the prepayment of One Million Four Hundred Sixty-Eight Thousand Eight Hundred Ninety Dollar (\$1,468,890).

3. Multiple Counterparts. This Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which taken together shall constitute one and the same agreement.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Amendment to Order Terms as of the date first above written.

SEAGRAVE FIRE APPARATUS, LLC

By: 
Name: Olises D. Parmetiani
Title: President & CEO

Dated: 07/10/2023

**LEXINGTON-FAYETTE URBAN COUNTY
GOVERNMENT, LEXINGTON, KY**

By: _____
Name: _____
Title: _____

Dated: _____

By: _____
Name: _____
Title: _____

Dated: _____