



DEPARTMENT OF
GENERAL SERVICES

COMMONWEALTH OF VIRGINIA
DIVISION OF PURCHASES & SUPPLY (DPS)
1111 East Broad Street, Richmond, Virginia 23219

**MODIFICATION #1
TO
CONTRACT NUMBER CTR006031
FORMERLY CONTRACT NUMBER E194-81037
BETWEEN THE
COMMONWEALTH OF VIRGINIA
AND
HUSTLER TURF EQUIPMENT INC.**

This MODIFICATION #1 is an Agreement between the Commonwealth of Virginia, hereinafter referred to as "State" or "Commonwealth," and Hustler Turf Equipment Inc. a Kansas corporation, hereinafter referred to as the "Contractor" or "Hustler Turf" relating to the modification of Contract E194-81037 effective February 28, 2020 as amended, hereinafter referred to as the "Contract" or "Agreement." This Modification is hereby incorporated into and made an integral part of the Agreement.

The purpose of this modification is to document both parties' agreement A.) Renew the Contract, B.) Update the Contract number and C.) Update "Default" General Term and Condition. All changes are effective upon full execution of this document, unless otherwise noted, and shall be included in any subsequent modifications.

- A. Reference:** Contract E194-81037, "Renewal of Contract."
Both parties hereby agree to renew the Contract for an additional one (1) year period, beginning February 28, 2023 through February 27, 2024 with one (1) renewal options remaining.
- B. Reference:** Contract E194-81037, "Changes to the Contract."
Due to the new Commonwealth of Virginia e-procurement system, the contract number has changed from E194-81037 to CTR006031.
- C. Reference:** Contract E194-81037, "Changes to General Term and Condition" General Term and Condition "*Default*" has been changed to read: *DEFAULT*: In case of failure to deliver goods or services in accordance with the contract terms and conditions, the Commonwealth, after due oral or written notice, may terminate this contract and procure all goods and/or services contracted for, from other sources and hold the contractor responsible for any resulting additional purchase and administrative costs. This remedy shall be in addition to any other remedies which the Commonwealth may have

The foregoing is the complete and final expression of the parties' agreement to modify Contract E194-81037 and cannot be modified, except by a writing signed by the duly authorized representatives of both parties. All other terms and conditions remain unchanged.

(SIGNATURE PAGE TO FOLLOW)

PERSONS SIGNING THIS CONTRACT ARE AUTHORIZED REPRESENTATIVES OF EACH PARTY TO THIS CONTRACT AND ACKNOWLEDGE THAT EACH PARTY AGREES TO BE BOUND BY THE TERMS AND CONDITIONS OF THE CONTRACT.

HUSTLER TURF EQUIPMENT INC.

BY: Brian J. O'Donnell

NAME: Brian J. O'Donnell
Printed Name

TITLE: Government Sales Manager

DATE: 12-30-22

COMMONWEALTH OF VIRGINIA

BY: Tracy Wrenn, VCO

NAME: Tracy Wrenn
Printed Name

TITLE: Statewide Sourcing and Contracting Officer

DATE: 12-30-22