

6533-46  
Amd 2

**SECOND AMENDMENT TO AGREEMENT  
BETWEEN  
CITY OF JACKSONVILLE  
AND  
J. B. COXWELL CONTRACTING, INC.  
FOR  
DESIGN BUILD SERVICES FOR MINOR - MEDIUM SIZE  
CIVIL ENGINEERING & PARK IMPROVEMENT PROJECTS (NORTH AREA)**

**THIS SECOND AMENDMENT** to Agreement is made and entered into this 30 day of March, 2015, by and between the CITY OF JACKSONVILLE, a Florida municipal corporation in Duval County, Florida (the "Owner") and J. B. COXWELL CONTRACTING, INC., a Florida profit corporation with an office at 641 Lloyd Road West, Jacksonville, Florida 32254 (the "Design-Builder"), for various specific minor to medium size civil engineering and park improvement projects in the North Service Area (the "Projects").

**WHEREAS**, on September 2, 2009, the parties made and entered into City of Jacksonville Contract No. 6533-46 (the "Agreement"); and

**WHEREAS**, said Agreement has been amended once previously; and

**WHEREAS**, said Agreement should be amended further by extending the period of service from March 2, 2015, through September 30, 2015, with no increase to the maximum indebtedness, such maximum indebtedness remaining an amount not-to-exceed \$12,000,000.00 for the period September 2, 2009, through September 30, 2015, and with all other provisions, terms, and conditions of said Agreement remaining unchanged; now therefore

**IN CONSIDERATION** of the mutual covenants and obligations contained herein, Owner and Design-Builder agree as follows:

1. The above-stated recitals are accurate, true, and correct and are incorporated herein and made a part hereof by this reference.

2. Section 1.2 of said Agreement is amended by extending the period of service from March 2, 2015, through September 30, 2015, and as amended shall read as follows:

**"1.2 Period of Service:** This Agreement shall commence on the Effective Date and shall continue and remain in full force and effect thereafter until September 30, 2015, or until earlier termination as provided in Article 8 hereof or Article 11.2 of the General Conditions of Contract."

3. The total maximum indebtedness shall remain a not-to-exceed amount of \$12,000,000.00.

**SAVE AND EXCEPT** as expressly amended by this instrument, the provisions, terms, and conditions of said Agreement, as previously amended, shall remain unchanged and shall continue in full force and effect.

IN WITNESS WHEREOF, the respective parties hereto have executed this Second Amendment effective the day and year first above written.

**FOR DESIGN-BUILDER:**

**J. B. COXWELL CONTRACTING, INC., a Florida corporation**

Witness:

By:

*V Wayne Whiting*

By:

Name: Sam E. Mousa, P.E.

Its: Executive Vice President

Witness:

By:

*Elaine Smith*

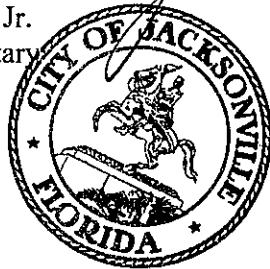
**FOR OWNER:**

**CITY OF JACKSONVILLE, a Florida municipal corporation**

Attest:

By:

*James R. McCain, Jr.*  
James R. McCain, Jr.  
Corporation Secretary



By:

*Alvin Brown*  
Alvin Brown  
Mayor

Cleveland Ferguson III  
Deputy Chief Administrative Officer  
For: Mayor Alvin Brown  
Under Authority of:  
Executive Order No. 2015-01

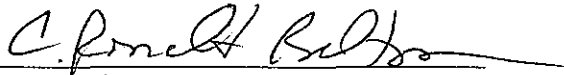

Encumbrance and funding information for internal City use:

Account.....

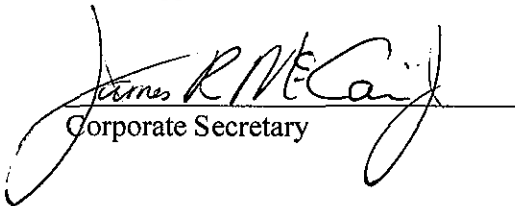
Amount.....\$

This above stated amount is the maximum fixed monetary amount of the foregoing contract. It shall not be encumbered by the foregoing contract. It shall be encumbered by one (1) or more subsequently issued purchase(s) that must reference the foregoing Contract. All financial examinations and funds control checking will be made at the time such check request(s) are issued.

In accordance with Section 24.103(e), of the Ordinance Code of the City of Jacksonville, I do hereby certify that there is an unexpended, unencumbered and unimpounded balance in the appropriation sufficient to cover the foregoing agreement; provided however, this certification is not nor shall it be interpreted as an encumbrance of funding under this Contract. Actual encumbrance[s] shall be made by subsequent purchase order[s], as specified in said Contract.

  
\_\_\_\_\_  
Director of Finance  
City Contract #6533-46, Amd #2  


Form Approve

  
\_\_\_\_\_  
Corporate Secretary

Contract Encumbrance Data Sheet follows immediately.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/15/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>Johnson &amp; Company</b> 801 N Orange Avenue Suite 510 Orlando FL 32801	CONTACT NAME: <b>Heather Riles</b>																					
	PHONE (A/C No. Ext): <b>(407) 843-1120</b>	FAX (A/C No.): <b>(407) 843-5772</b>																				
INSURED <b>J. B. COXWELL CONTRACTING, INC.</b> 6741 LLOYD ROAD, WEST JACKSONVILLE FL 32254	E-MAIL ADDRESS: <b>hriles@johnsonandcompany.net</b>																					
	<table border="1"> <thead> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A:</td> <td><b>Zurich American Insurance Co</b></td> <td><b>16535</b></td> </tr> <tr> <td>INSURER B:</td> <td><b>American Guarantee &amp; Liab Ins</b></td> <td><b>26247</b></td> </tr> <tr> <td>INSURER C:</td> <td><b>The Phoenix Insurance Company</b></td> <td><b>25623</b></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	<b>Zurich American Insurance Co</b>	<b>16535</b>	INSURER B:	<b>American Guarantee &amp; Liab Ins</b>	<b>26247</b>	INSURER C:	<b>The Phoenix Insurance Company</b>	<b>25623</b>	INSURER D:			INSURER E:			INSURER F:	
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COVERAGES CERTIFICATE NUMBER: 2015 JBC REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			GLO 9806400-03	1/1/2015	1/1/2016	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 5,000
	<input checked="" type="checkbox"/> CONTRACTUAL						PERSONAL & ADV INJURY	\$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 2,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
B	AUTOMOBILE LIABILITY			BAP 9806399-03	1/1/2015	1/1/2016	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS						BODILY INJURY (Per person)	\$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/>	SCHEDULED AUTOS NON-OWNED AUTOS				BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
							PIP-Basic	\$ 10,000
B	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input type="checkbox"/>	OCCUR	AUC 0084389-00	1/1/2015	1/1/2016	EACH OCCURRENCE	\$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/>	CLAIMS-MADE				AGGREGATE	\$ 5,000,000
	<input type="checkbox"/> DED	<input checked="" type="checkbox"/>	RETENTION \$ 10,000					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS	OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)		<input type="checkbox"/>	N/A			E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
C	Contractors Equipment			QT-660-7133P614-TIL-15	1/1/2015	1/1/2016	Leased/Rented \$500,000 Max Per Item	2% Deductible \$5,000 Min

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: Various Specific Minor-Medium Size Civil Engineering and Park Improvement Projects within the Scope of Work provided on Exhibit "A" of the Master Contract. City of Jacksonville is additional insured under the commercial general liability coverage.

### CERTIFICATE HOLDER

### CANCELLATION

City of Jacksonville, a Florida Municipal Corporation  
Department of Public Works  
Chief of Engineer and Construction Division  
214 N. Hogan Street, 10th Floor  
Jacksonville, FL 32202

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Francis O'Reardon/AJ



**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)  
1/7/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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<b>PRODUCER</b> Cecil W. Powell & Company 219 N. Newnan Street Jacksonville, FL 32202	<b>CONTACT NAME:</b> Dora A Paratore <b>PHONE (A/C, No, Ext):</b> (904) 353-3181 <b>FAX (A/C, No):</b> (904) 353-5722 <b>E-MAIL ADDRESS:</b> dparatore@cwpowellins.com													
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<b>INSURED</b> J B Coxwell Contracting Inc dba Whitehouse Recycling 6741 Lloyd Road West Jacksonville, FL 32254														

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

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	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
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<b>A</b>	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> <input type="checkbox"/> Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	0196-07301	01/01/2015	01/01/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ <b>1,000,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>1,000,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>1,000,000</b>

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**RE:** Various Specific Minor-Medium Size Civil Engineering and Park Improvement Projects within the Scope of Work provided on Exhibit "A" of the Master Contract.

<b>CERTIFICATE HOLDER</b> City of Jacksonville, a Florida Municipal Corporation Department of Public Works Chief of Engineer and Construction Division 214 N. Hogan Street, 10th Floor Jacksonville, FL 32202	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. <b>AUTHORIZED REPRESENTATIVE</b> 
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SUBJECT: DESIGN BUILD SERVICES FOR VARIOUS MINOR-MEDIUM SIZE CIVIL/PARKS (NORTH AREA)

BID # CDB-0049-09

OPEN DATE: 3/11/2009

**COMPETITIVE SEALED PROPOSAL EVALUATION COMMITTEE**

KIND AND BASIS OF CONTRACT:  
CONSTRUCTION – DESIGN/BUILD

AGENCY: DEPARTMENT OF PUBLIC WORKS

BASIS OF AWARD: EVALUATION CRITERIA

NUMBER OF BIDS INVITED: 62      NUMBER RECEIVED: 18      OTHER: 1

**SUMMARY OF BIDS AND RECOMMENDED ACTIONS:**

Recommend approval to extend the contract (6533-46) to J.B. Coxwell Contracting, Inc. for the period from March 2nd, 2015 thru September 30th, 2015 with the maximum indebtedness to the city remaining at \$12,000,000.00 for continued services within the North Service Area; with no changes to the current Terms & Conditions.

Projects awarded under this bid to be funded by individual Purchase Order(s).

ATTACHMENTS: 1) Recommendation Memo 2) Vendor Acknowledgement 3) Previous Awards

BUYER *Daniel Pearson*  
DANIEL PEARSON

RESPECTFULLY SUBMITTED *Gregory Pease*  
GREGORY PEASE, CHIEF  
PROCUREMENT DIVISION

CONCURRENCE BY: William J. Joyce, P.E., Chief, Engineering and Construction Management Division

**(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)  
ACTION OF CSPEC COMMITTEE ON RECOMMENDATIONS ABOVE**

MEMBERS APPROVING <u>51</u>	MEMBERS DISAPPROVING _____	DATE: <u>02/26/15</u>
<u><i>Stanley M. Marsh</i></u>	_____	OTHER _____
<u><i>[Signature]</i></u>	_____	
<u><i>[Signature]</i></u>	_____	
<u><i>James R. McC...</i></u>	_____	
<u><i>[Signature]</i></u>	_____	

ACTION OF AWARDDING AUTHORITY \_\_\_\_\_ DATE 2/26/15  
APPROVED *FA* \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

OTHER: \_\_\_\_\_  
SIGNATURE OF AUTHENTICATION *[Signature]* Cleveland Ferguson III  
Deputy Chief Administrative Officer  
For: Mayor Alvin Brown  
Under Authority of \_\_\_\_\_  
Executive Order No. 2015-01