

6783-17
Amd 2

**SECOND AMENDMENT TO CONTRACT
(PAID BY SUBSEQUENT PURCHASE ORDERS)
BETWEEN
THE CITY OF JACKSONVILLE
AND
HUBBARD CONSTRUCTION COMPANY
FOR
COUNTYWIDE ASPHALT PAVEMENT PRESERVATION AND REHABILITATION**

THIS SECOND AMENDMENT to Contract for countywide asphalt pavement preservation and rehabilitation (the "Project") is executed as of this 21 day of Oct, 2015, by and between the CITY OF JACKSONVILLE, FLORIDA, a municipal corporation in Duval County, Florida, (hereinafter the "Owner" or the "City"), and HUBBARD CONSTRUCTION COMPANY, a Florida profit corporation with principal address at 1936 Lee Road, Winter Park, Florida 32789 (hereinafter the "Contractor").

RECITALS:

WHEREAS, on March 18, 2014, City and Contractor made and entered into City of Jacksonville Contract No. 6783-17 (hereinafter the "Contract"); and

WHEREAS, said Contract has been amended once previously; and

WHEREAS, said Contract should be amended further by exercising the second and final one (1)-year renewal option so as to extend the period of service from October 1, 2015, through September 30, 2016, with no renewal options remaining, with no increase to the total maximum indebtedness, such maximum indebtedness remaining a not-to-exceed amount of \$4,631,443.50, and with all other provisions, terms, and conditions of said Contract remaining unchanged; now therefore

IN CONSIDERATION of the premises and of the mutual covenants and agreements hereinafter contained, the parties 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 4 of said Contract is amended by exercising the second and final one (1)-year renewal option so as to extend the period of service from October 1, 2015, through September 30, 2016, with no renewal options remaining, and as amended shall read as follows:

“4. The period of service of this Contract will commence on the date of the Award (February 19, 2014) and continue in full force and effect until September 30, 2016, unless earlier terminated as provided in the Contract Documents.”

3. Section 5 of said Contract is deleted in its entirety.

4. The total maximum indebtedness shall remain a not-to-exceed amount of \$4,631,443.50.

SAVE AND EXCEPT as expressly amended herein, the provisions, terms, and conditions of said Contract of March 18, 2014, as previously amended, shall remain unchanged and shall continue in full force and effect.

[Remainder of page intentionally left blank. Signature page follows immediately.]

IN WITNESS WHEREOF, the parties hereto have duly executed this Second Amendment in duplicate the day and year first above written.

ATTEST:

CITY OF JACKSONVILLE, FLORIDA

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

By Sam E. Mousa
Lenny Curry, Mayor



OWNER

Sam E. Mousa
Chief Administrative Officer
For: Mayor Lenny Curry
Under Authority of:
Executive Order No. 2015-05

WITNESS:

HUBBARD CONSTRUCTION COMPANY

Vicki Clark
Signature

P. Frederick O'Dea, Jr.
Signature

Vicki Clark
Type/Print Name
Contract Administrator
Title

P. Frederick O'Dea, Jr.
Type/Print Name
Vice President & Secretary
Title

CONTRACTOR

Encumbrance, funding information, and approval as to form for internal City use are contained on the following page.

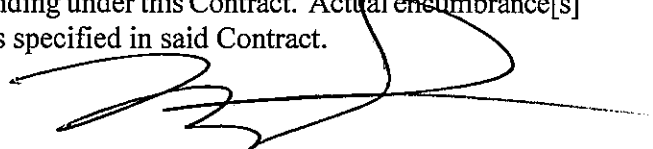
Encumbrance and funding information for internal City use:

Account.....PWCP32DRD549-069505-PW0070-01

Amount.....\$4,631,443.50

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 Order[s] that must reference the foregoing Contract. All financial examinations and funds control checking will be made at the time such Purchase Order[s] are issued.

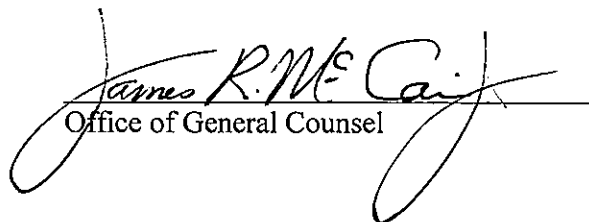
In accordance with Section 24.103(e), of the *Ordinance Code* of the City of Jacksonville, I do hereby certify that there is an unexpended, unencumbered, and unimpounded balance in the appropriation sufficient to cover the foregoing agreement; *provided however*, this certification is not nor shall it 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 #6783-17, 2nd Amendment



Approved as to form:



Office of General Counsel



VINCUSA-01

WITKUSJA

CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 10/1/2015

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.

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 Willis of Michigan, Inc. c/o 26 Century Blvd P.O. Box 305191 Nashville, TN 37230-5191	CONTACT NAME: PHONE (A/C, No, Ext): (877) 945-7378 FAX (A/C, No): (888) 467-2378 E-MAIL ADDRESS: _____ _____														
INSURED Hubbard Construction Company The Hubbard Group, Inc. 1936 Lee Road Winter Park, FL 32789	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : Zurich American Insurance Company</td> <td style="text-align: center;">16535</td> </tr> <tr> <td>INSURER B : XL Specialty Insurance Company</td> <td style="text-align: center;">37885</td> </tr> <tr> <td>INSURER C : AGCS Marine Insurance Company</td> <td style="text-align: center;">22837</td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Zurich American Insurance Company	16535	INSURER B : XL Specialty Insurance Company	37885	INSURER C : AGCS Marine Insurance Company	22837	INSURER D :		INSURER E :		INSURER F :	
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COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER: _____			GLO0184998-00	10/01/2015	10/01/2016	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 _____ \$ _____
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			BAP0187997-00	10/01/2015	10/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ _____ BODILY INJURY (Per accident) \$ _____ PROPERTY DAMAGE (Per accident) \$ _____ _____ \$ _____
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			US00064220L15A	10/01/2015	10/01/2016	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 _____ \$ _____
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC0184999-00	10/01/2015	10/01/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Equipment Floater			MXI93044965	10/01/2015	10/01/2016	See Attached

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

Re: Countywide Asphalt Pavement Preservation and Rehabilitation, Contract 6783-17 (ACA 65115).
 City of Jacksonville is included as an Additional Insured as respects to General Liability.

CERTIFICATE HOLDER**CANCELLATION**

City of Jacksonville Attn: Public Works Department 214 North Hogan Street Jacksonville, FL 32202	<p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</p> <p>AUTHORIZED REPRESENTATIVE <i>Charles T. Draper</i></p>
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ADDITIONAL COVERAGE SCHEDULE

COVERAGE	LIMITS
POLICY TYPE: Equipment Floater CARRIER: AGCS Marine Insurance Company POLICY TERM: 10/1/2015 - 10/1/2016 POLICY NUMBER: MXI93044965	Contractors Equipment: \$10,000,000 Max. Limit Leased/Rented Equipment: \$3,000,000 Any One Item Special Form Incl. Theft: \$25,000 Deductible

SUBJECT: COUNTYWIDE ASPHALT PAVEMENT PRESERVATION AND REHABILITATION

BID# CS-0034-14

OPEN DATE: 2014-01-08

GENERAL GOVERNMENT AWARDS COMMITTEE

KIND AND BASIS OF CONTRACT:

CONSTRUCTION SUPPLY- PERIOD OF SERVICE DATE OF AWARD THROUGH SEPT. 30, 2014 WITH TWO (2) ONE (1) YR RENEWAL OPTIONS

AGENCY: ROW & GROUNDS

BASIS OF AWARD: TOTAL BASE BID TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER

NUMBER OF BIDS INVITED 5 NUMBER RECEIVED 2 OTHER 0

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:

Subject bid was awarded 02/19/14 to Hubbard Construction Company (contract #6783-17), in the amount of \$1,631,443.50; 1st Renewal Option utilized on 07/18/14 in the amount of \$3,000,000.00.

Recommend approval of award to utilize the Second and Final renewal option with Hubbard Construction Company, with no changes to the current estimated expenditure amount of \$4,631,443.50. Additionally, recommend approval to increase unit price for Line Item #2 (Double Application). The existing price is \$2.85/SY, request increase to \$3.25/SY, a \$.40/SY increase, remaining lines will remain unchanged. Period of Service will be from October 1, 2015 through September 30, 2016, no renewal options remaining.

Funding for this award to be encumbered by account: PWCP32CRD549-069505-PW0070-01 to be executed by contract amendment #2 through Office of General Counsel and processed by individual Purchase Orders.

This award subject to appropriation by the City in the fiscal year beginning October 1, 2015. No funds have been appropriated to date. The City has no obligation for payment and work hereunder is not authorized unless funds are appropriated for work herein. A written notification will be provided in the event the funds are appropriated.

Attachments: Recommendation Memo, Increase Justification, Vendor Renewal, Previous Award(s)

BUYER: Marilyn Eaidler
MARILYN EADLER

RESPECTFULLY SUBMITTED: Gregory Pease
GREGORY PEASE, CHIEF
PROCUREMENT DIVISION

CONCURRENCE BY: Steve Long, Jr., P.E., Chief, Right of Way and Stormwater Maintenance Division

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)

ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING 3 MEMBERS DISAPPROVING _____ DATE: 8/27/15

Caroline Skene _____ OTHER: _____

Allen _____

James R. McCarty _____

ACTION OF AWARDING AUTHORITY _____ DATE: 8/27/15

APPROVED MA _____ DISAPPROVED _____

OTHER _____

SIGNATURE OF AUTHENTICATION Sam E. Mousa

Sam E. Mousa
Chief Administrative Officer
For: Mayor Lenny Curry
Under Authority of:
Executive Order No. 12097-05
FORM GS-108, Rev. 12/21/05

SUBJECT: COUNTYWIDE ASPHALT PAVEMENT PRESERVATION AND REHABILITATION

BID# CS-0034-14

OPEN DATE: 1/8/2014

GENERAL GOVERNMENT AWARDS COMMITTEE

KIND AND BASIS OF CONTRACT:

CONSTRUCTION SUPPLY

AGENCY: **ROW & GROUNDS**

BASIS OF AWARD: **TOTAL BASE BID TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER**

NUMBER OF BIDS INVITED 5 NUMBER RECEIVED 2 OTHER 0

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:

Subject bid was awarded 02/19/14 to Hubbard Construction Company, in the amount of \$1,631,443.50.

Recommend approval of award to utilize the first renewal option with Hubbard Construction Company, for the annual expenditure amount of \$3,000,000.00. Total revised estimated expenditure not-to-exceed \$4,631,443.50. Period of service will be from October 1, 2014 through September 30, 2015, with one (1) renewal option remaining.

Funding for this award to be encumbered by account: PWCP32DRD549-069505-PW0070-01 to be executed by purchase order(s).

This award subject to appropriation by the City in fiscal year beginning October 1, 2014. No funds have been appropriated to date. The City has no obligation for payment and work hereunder is not authorized unless funds are appropriated for work herein. A written notification will be provided in the event the funds are appropriated.

Attachments: Recommendation Memo, Vendor Letter, Contract Terms, Previous Award

BUYER: Marilyn Laidler
MARILYN LAIDLER

RESPECTFULLY SUBMITTED: Gregory Pease
GREGORY PEASE, CHIEF
PROCUREMENT DIVISION

CONCURRENCE BY: **Steve Long, Acting Chief, Right of Way Stormwater Maintenance Division**

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)

ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING 3 MEMBERS DISAPPROVING _____ DATE: 02/19/14

OTHER: _____

ACTION OF AWARDDING AUTHORITY

DATE: 7/18/14

APPROVED _____ DISAPPROVED _____

OTHER _____

SIGNATURE OF AUTHENTICATION Karen Bowling

Karen Bowling
Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2013-04

SUBJECT: COUNTYWIDE ASPHALT PAVEMENT PRESERVATION AND REHABILITATION

BID# CS-0034-14

OPEN DATE: 1/8/2014

GENERAL GOVERNMENT AWARDS COMMITTEE

KIND AND BASIS OF CONTRACT:
CONSTRUCTION SUPPLY

AGENCY: **ROW & GROUNDS**

BASIS OF AWARD: **TOTAL BASE BID TO LOWEST RESPONSIVE, RESPONSIBLE BIDDER**

NUMBER OF BIDS INVITED 5 NUMBER RECEIVED 2 OTHER 0

SUMMARY OF BIDS AND RECOMMENDED ACTIONS:

RECOMMEND APPROVAL TO REJECT NORTH FLORIDA EMULSIONS, INC., FOR FAILURE TO BE PRE-QUALIFIED UNDER THE HORIZONTAL CATEGORY WITH THE CITY OF JACKSONVILLE, PER INVITATION TO BID ALSO FAILURE TO BE FDOT PRE-QUALIFIED PER SECTION 31.5.1.

RECOMMEND APPROVAL OF AWARD TO HUBBARD CONSTRUCTION COMPANY, FOR COUNTYWIDE ASPHALT PAVEMENT PRESERVATION AND REHABILITATION. TOTAL BASE BID AMOUNT NOT-TO-EXCEED \$1,631,443.50.

FUNDING SOURCE FOR THIS PROJECT TO BE EXECUTED BY PURCHASE ORDER(S):
✓ PWCP32CRD549-069505-PW0070-01

ATTACHMENTS: RECOMMENDATION MEMO, BID TABULATION SHEET, BASIS OF AWARD, SCOPE OF WORK, INVITATION TO BID, VENDOR REJECTION LETTER

BUYER: Marilyn Laidler RESPECTFULLY SUBMITTED: Gregory Pease
Marilyn Laidler Gregory Pease, Chief
Procurement Division

CONCURRENCE BY: **L.W. "TERRY" THERIAULT, P.E., CHIEF, RIGHT OF WAY AND GROUNDS MAINTENANCE DIVISION**

(ALL AWARD ACTIONS SUBJECT TO LAWFULLY APPROPRIATED FUNDS)

ACTION OF GGAC COMMITTEE ON RECOMMENDATIONS ABOVE

MEMBERS APPROVING 3 MEMBERS DISAPPROVING _____ DATE: 02/13/14

[Signatures]

OTHER: _____

ACTION OF AWARDING AUTHORITY _____ DATE: 2/19/14

APPROVED _____ DISAPPROVED _____

OTHER _____

SIGNATURE OF AUTHENTICATION [Signature]

Karen Bowling
Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2013-04