

8396-03
Amd 7

**SEVENTH AMENDMENT TO AGREEMENT
BETWEEN
THE CITY OF JACKSONVILLE
AND
AEROSTAR SES LLC
FOR
CONTAMINATION ASSESSMENT & REMEDIATION SERVICES**

THIS SEVENTH AMENDMENT to Agreement is made and entered into in duplicate this 16 day of June, 2014, by and between the CITY OF JACKSONVILLE (hereinafter the "CITY"), a municipal corporation in Duval County, Florida, and AEROSTAR SES LLC (hereinafter the "CONSULTANT"), a foreign limited liability company authorized to do business in Florida with principal office at 1006 Floyd Culler Court, Oak Ridge, Tennessee 37820, and a local office at 11181 St. Johns Parkway North, Jacksonville, Florida 32246, for contamination assessment and remediation services for various projects (hereinafter the "Project").

RECITALS:

WHEREAS, on March 10, 2010, CITY and CONSULTANT made and entered into City of Jacksonville Contract # 8396-03 (hereinafter the "Agreement") for the Project; and

WHEREAS, said Agreement has been amended six (6) times previously; and

WHEREAS, said Agreement should be amended further by extending the period of service from June 30, 2014, to December 31, 2014, and by allowing for the issuance of new purchase orders, with no increase in the maximum indebtedness, such maximum indebtedness remaining a not-to-exceed amount of \$2,000,000.00, and with all other provisions, terms, and conditions of said Agreement remaining unchanged; now therefore

IN CONSIDERATION of the Agreement and of the mutual covenants and agreements hereinafter contained, the parties agree to amend said Agreement as follows:

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

2. Section 1.02 in said Agreement is amended in part by extending the period of service from June 30, 2014, to December 31, 2014, and as amended shall read as follows:

“1.02 This Agreement shall commence on the Effective Date and shall continue and remain in full force and effect thereafter until DECEMBER 31, 2014, or earlier termination as provided in Section 5.01 hereof.”

3. Section 3.06 in said Agreement is amended in part to allow the issuance of new purchase orders and as amended shall read as follows:

“3.06. The maximum indebtedness of the CITY for all Services to be performed pursuant to this Agreement shall not exceed the sum of TWO MILLION AND 00/100 DOLLARS (\$2,000,000.00); *provided however*, funds for Services performed by CONSULTANT under this Agreement or any amendment will be encumbered by subsequent purchase order[s] and all fund control checks will be performed at the time of such encumbrance by purchase order. The issuance of new purchase orders for the term of this Agreement shall be allowed”

4. The total maximum indebtedness shall remain the same not-to-exceed amount of \$2,000,000.00.

SAVE AND EXCEPT as expressly amended by this instrument, the provisions, terms, and conditions of said Agreement of March 10, 2010, as previously amended, shall remain unchanged and shall continue in full force and effect.

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

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

ATTEST:

CITY OF JACKSONVILLE

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

By Karen Bowling
Alvin Brown, Mayor



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

ATTEST:

AEROSTAR SES LLC

By D. Brian Smith
Signature
D. BRIAN SMITH
Type/Print Name
CONTROLLER
Title

By M. Chris M'Neas
Signature
M. CHRIS M'NEAS
Type / Print Name
SENIOR PROGRAM MANAGER
Title

In compliance with Section 24.103(e) of the *Ordinance Code* of the City of Jacksonville, I do certify that there is an unexpended, unencumbered, and unimpounded balance in the appropriation sufficient to cover the foregoing Agreement and that provision has been made for the payment of the monies provided therein to be paid.

C. Ronald Belton
Director of Finance
City Contract # 8396-03
Amendment #7

Form Approved:

James R. McCain, Jr.
Office of General Counsel