

8258-14
And 2

**SECOND AMENDMENT TO CONTRACT
BETWEEN
THE CITY OF JACKSONVILLE
AND
JAX UTILITIES MANAGEMENT, INC.
FOR**

STORM SEWER REPLACEMENT AND NEW CONSTRUCTION

THIS SECOND AMENDMENT to Contract is executed this 29 day of Sept., 2014, by and between the CITY OF JACKSONVILLE, FLORIDA, a municipal corporation in Duval County, Florida (hereinafter the "Owner" or the "City"), and JAX UTILITIES MANAGEMENT, INC., a Florida corporation with offices located at 8812 Alton Avenue, Jacksonville, Florida 32211 (hereinafter the "Contractor").

RECITALS:

WHEREAS, on January 25, 2013, City and Contractor made and entered into City of Jacksonville Contract No. 8258-14 (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-year renewal option so as to extend the period of service from October 1, 2014, through September 30, 2015, subject to earlier termination, with no renewal options remaining, and by increasing the maximum indebtedness by \$1,667,467.00 for the service period October 1, 2014, through September 30, 2015, to a new total maximum indebtedness not-to-exceed \$5,002,401.00, with all other provisions, terms, and conditions of said Contract remaining unchanged; now therefore

IN CONSIDERATION of the Contract and of the mutual covenants hereinafter contained and for other good and valuable consideration admitted by the parties to be legally sufficient, the parties agree to amend said Contract 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 2 of said Contract is amended in part by increasing the maximum indebtedness by \$1,667,467.00 for the service period October 1, 2014, through September 30, 2015, to a new total maximum indebtedness not-to-exceed \$5,002,401.00, and as amended shall read as follows:

“3. The Contractor will at its own cost and expense do the work required to be done and furnish the materials required to be furnished on said work in accordance with plans and specifications prepared by Department of Public Works, Right of Way and Stormwater Maintenance, bid numbered CS-0594-12, bid date August 8, 2012, designated as *SPECIFICATIONS FOR STORM SEWER REPLACEMENT AND NEW CONSTRUCTION*, and strictly in accordance with the advertisement calling for bids, plans, specifications, blueprints, addenda, requirements of the City of Jacksonville, proposal of said Contractor, and award therefor (hereinafter collectively called the “Contract Documents”) now on file in the Office of the Division Chief of the Procurement Division of the City of Jacksonville, all of which are hereby specifically made a part hereof by reference to the same extent as if fully set out herein, for an amount not-to-exceed FIVE MILLION TWO THOUSAND FOUR HUNDRED ONE AND NO/100 DOLLARS (\$5,002,401.00), at and for the prices and on the terms contained in the Contract Documents.”

3. Section 6 of said Agreement is amended by exercising the second and final one-year renewal option so as to extend the period of service from October 1, 2014, through September 30, 2015, subject to earlier termination, with no renewal options remaining, and as

amended shall read as follows:

“6. The period of service for this Contract shall be from the date of execution hereof until September 30, 2015.”

SAVE AND EXCEPT as expressly amended in and by this instrument, the provisions, terms, and conditions of said Contract of January 25, 2013 shall remain unchanged and 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
Karen Bowling
Chief Administrative Officer
For: Mayor Alvin Brown
Under Authority of:
Executive Order No. 2013-04
Alvin Brown, Mayor

By James R. McCain, Jr.
Corporation Secretary



By Alvin Brown
Alvin Brown, Mayor
OWNER

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, and that provision has been made for the payment of monies provided therein to be paid.

C. Ronald Belton
Director of Finance
Contract #8258-14; Amd #2

Encumbrance & funding information is found on the next page.

Form Approved:

James R. McCain, Jr.
Office of General Counsel

ATTEST:

JAX UTILITIES MANAGEMENT, INC.

William Brannen
Signature
William Brannen
Type/Print Name
Secretary
Title

Charles D. Freshwater
Signature
Charles D. Freshwater
Type/Print Name
Vice President
Title

CONTRACTOR

ENCUMBRANCE & FUNDING INFORMATION:

Account..... PWCP462SD-06505-PW0072-01
Amount..... \$1,667,467.00
TOTAL..... \$5,002,401.00

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 Orders)that must reference the foregoing Contract. All financial examinations and funding checks will be made at the time such Purchase Orders are issued.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/31/2013

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 PrimeGroup Insurance Services, Inc. 5402 W. Laurel St. Suite 220 Tampa FL 33607-1726	CONTACT NAME: Patty King #E131203 PHONE (A/C No. Ext): (813) 890-0415 E-MAIL ADDRESS: pking@primegroupins.com	FAX (A/C No.): (813) 885-4311
	INSURER(S) AFFORDING COVERAGE	
INSURED JAX UTILITIES MANAGEMENT, INC. 5465 Verna Boulevard Jacksonville FL 32205	INSURER A: National Trust Insurance NAIC # 20141	
	INSURER B: FCCI Insurance Company 10178	
	INSURER C: FCCI Commercial Insurance 33472	
	INSURER D:	
	INSURER E:	
INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** CL13123112374 **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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			GL0011348-4	1/1/2014	1/1/2015	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
A	AUTOMOBILE LIABILITY			CA0017635-4	1/1/2014	1/1/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$
							PIP-Basic \$ 10,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB			UMB0011883-4	1/1/2014	1/1/2015	EACH OCCURRENCE \$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB						AGGREGATE \$ 5,000,000
	<input checked="" type="checkbox"/> OCCUR						
	<input type="checkbox"/> CLAIMS-MADE						
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			001-WC14A-65856	1/1/2014	1/1/2015	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Inland Marine			CM007961-1	1/1/2014	1/1/2015	Installation Floater 250,000
	Leased/Rented Equipment						Leased/Rented Equipment 500,000

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

CERTIFICATE HOLDER

City of Jacksonville
 214 N. Hogan Street
 Jacksonville, FL 32203

CANCELLATION

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

E Ellsasser #A077187/ *E. Ellsasser*