

9181-01
Amd 2

**SECOND AMENDMENT TO AGREEMENT
BETWEEN
CITY OF JACKSONVILLE
AND
AULD & WHITE CONSTRUCTORS, INC.
FOR
DESIGN BUILD SERVICES FOR MINOR - MEDIUM SIZE
CIVIL ENGINEERING & PARK IMPROVEMENT PROJECTS (SOUTH AREA)**

THIS SECOND AMENDMENT to Agreement is made and entered into this 10 day of April, 2015, by and between the CITY OF JACKSONVILLE, a Florida municipal corporation in Duval County, Florida (the "Owner") and AULD & WHITE CONSTRUCTORS, INC., a Florida profit corporation with an office at 4168 Southpoint Parkway, Suite 101, Jacksonville, Florida 32216 (the "Design-Builder"), for various specific minor to medium size civil engineering and park improvement projects in the South Area (the "Projects").

WHEREAS, on September 1, 2009, the parties made and entered into City of Jacksonville Contract No. 9181-01 (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 1, 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:

AULD & WHITE CONSTRUCTORS, INC.,
a Florida corporation

Witness:

By: Meyball

By: [Signature]

Name: Nathaniel Marty

Its: Executive Vice President

Witness:

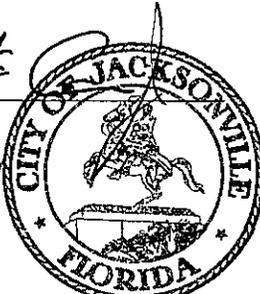
By: Jodi Morrow

FOR OWNER:

CITY OF JACKSONVILLE, a
Florida Municipal Corporation

Attest:

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



By: [Signature]
Alvin Brown
Mayor

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

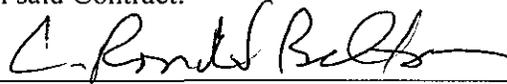
Encumbrance and funding information for internal City use:

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.

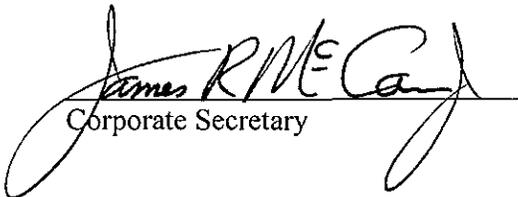
In accordance with Section 24.103(e), of the Ordinance Code of the City of Jacksonville, I do hereby certify that there is an unexpended, unencumbered and unimpounded balance in the appropriation sufficient to cover the foregoing agreement; provided however, this certification is not nor shall it be 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 #9101, Amd #2



Form Approve



Corporate Secretary

Contract Encumbrance Data Sheet follows immediately.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/23/2015

PRODUCER Construction Underwriters, Inc 4168 Southpoint Pkwy - Ste 305 Jacksonville, FL 32216	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
	INSURERS AFFORDING COVERAGE	NAIC #
INSURED Auld & White Constructors, LLC 4168 Southpoint Pkwy Ste 101 Jacksonville, FL 32216	INSURER A: Amerisure Insurance Co	19488
	INSURER B: Illinois Union Insurance Co	27960
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS		
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Bikt Addl Insd <input checked="" type="checkbox"/> Bikt Waiver of Subro GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC	GL2012638 Contractual Liab Included XCU Included Design Service Liab included	09/01/14	09/01/15	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	\$1,000,000 \$1,000,000 \$10,000 \$1,000,000 \$2,000,000 \$2,000,000	
A		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 <input checked="" type="checkbox"/> \$500 Comp Ded <input checked="" type="checkbox"/> \$1,000 Coll Ded	CA1381846	09/01/14	09/01/15	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	\$1,000,000 \$ \$ \$	
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	\$ \$ \$	
A		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$	CU1381848	09/01/14	09/01/15	EACH OCCURRENCE AGGREGATE	\$10,000,000 \$20,000,000 \$ \$	
A		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC1382251	01/01/15	01/01/16	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER	E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	\$100,000 \$100,000 \$500,000
B		OTHER Pollution	G24887212005	12/01/14	12/01/16		\$1 Mill Occ/\$2 Mill Agg	
A		Third Party Fidel	BT1382106	09/01/14	09/01/15		\$1,000,000 Limit	
A		L/R Equipment	CPP1381847	09/01/14	09/01/15		200,000Max/200,000 Item	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER City of Jacksonville Design Build Services for Minor-Medium Size Civil Engineering & Park Improve 117 W. Duval Street, Suite 480 Jacksonville, FL 32202	CANCELLATION 10 Days for Non-Payment SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>Kimberly Carroll</i>
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SUBJECT: DESIGN BUILD SERVICES FOR VARIOUS MINOR-MEDIUM SIZE CIVIL/PARKS (SOUTH 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 (9181-01) to Auld & White Constructors, LLC 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 South 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* RESPECTFULLY SUBMITTED *Gregory Pease*
DANIEL PEARSON GREGORY PEASE, CHIEF
PROCUREMENT DIVISION

MR

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 5 MEMBERS DISAPPROVING _____ DATE: 02/26/15
[Signatures] OTHER _____

ACTION OF AWARDING AUTHORITY DATE 2/24/15
APPROVED *Ex* 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