

9420-02
Amd 3

**THIRD AMENDMENT TO AGREEMENT
UTILIZING DUVAL COUNTY PUBLIC SCHOOLS CONTRACT # ITB-019-11/LM
BETWEEN
THE CITY OF JACKSONVILLE
AND
MCCURDY-WALDEN, INC.
FOR PURCHASE OF
ANNUAL ROOFING REPAIRS AND REPLACEMENT**

THIS THIRD AMENDMENT to Agreement is made and entered into in duplicate this 15 day of Feb., 2015, by and between the CITY OF JACKSONVILLE (hereinafter the ACity@), a municipal corporation existing under the Constitution and the laws of the State of Florida, and MCCURDY-WALDEN, INC. (hereinafter the AContractor@), a Florida profit corporation with principal office at 5267 Commonwealth Avenue, Jacksonville, Florida 32254, for the purchase of annual roofing repairs and replacement (hereinafter the AProject@).

RECITALS:

WHEREAS, effective December 1, 2010, the Duval County Public Schools (“DCPS”) entered into DCPS Contract Number ITB-019-11/LM (hereinafter the “DCPS Contract”) with Contractor for annual roofing repairs and replacement; and

WHEREAS, on October 16, 2012, City and Contractor made and entered into a contract for the Project, more particularly identified as City Contract #9420-02 (hereinafter the “Agreement”), using the DCPS Contract, which had been competitively procured and awarded; and

WHEREAS, said Agreement has been amended twice previously; and

WHEREAS, said Agreement should be amended further by exercising the final renewal option so as to extend the period of service through December 31, 2015, and by increasing the maximum indebtedness by \$250,000.00 to a new maximum indebtedness not-to-exceed \$3,250,000.00, with all other provisions, terms, and conditions remaining unchanged; now therefore

IN CONSIDERATION of the premises and of the mutual covenants and agreements hereinafter contained and for other good and valuable consideration, the parties agree as follows:

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

2. Article 4 of said Agreement is amended by exercising the final renewal option so as to extend the period of service through December 31, 2015, and as amended shall read as follows:

“ARTICLE 4: Duration of Agreement/Pricing Available to Other Entities:

The term of this Agreement shall commence on the Effective Date and shall continue and remain in full force and effect as to all its terms, conditions, and provisions as set forth herein until December 31, 2015, unless sooner terminated as provided in **Composite Exhibit 1**, with no renewal options remaining. During said period of time, the Roofing Materials provided hereunder shall be available to all using agencies and other political subdivisions, boards, agencies, or authorities existing in Duval County that may desire to purchase the same at the contract price provided herein.”

3. Section 5.2 of said Agreement is amended by increasing the maximum indebtedness by \$250,000.00 to a new maximum indebtedness not-to-exceed \$3,250,000.00, and as amended shall read as follows:

“5.2. Notwithstanding any contrary provision in **Composite Exhibit 1**, the maximum indebtedness of the CITY for all fees, reimbursable items, or other costs for the Roofing Materials sold by Contractor pursuant to this Agreement shall not exceed the sum of Three Million Two Hundred Fifty Thousand and 00/100 USD (\$3,250,000.00).”

SAVE AND EXCEPT as expressly amended in this instrument, the provisions, terms, and conditions in said Agreement of October 16, 2012, as previously amended, shall remain unchanged and shall continue in full force and effect.

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

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

ATTEST:

CITY OF JACKSONVILLE:

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:

WITNESS:

MCCURDY WALDEN, INC. Executive Order No. 2015-01

By Jonathan Walden
Signature
Jonathan Walden
Type/Print Name
Secretary
Title

By Mark Walden
Signature
Mark Walden
Type/Print Name
President
Title

Form Approved:

James R. McCain, Jr.
Office of General Counsel

In compliance with the Ordinance Code of the City of Jacksonville, I do certify that there is an unexpanded, 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 Bell
Director of Finance

9420-02, Amd 3 encumbered by PO
PB



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/13/2014

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 Greene Hazel Insurance Group 10739 Deerwood Park Blvd #200 Jacksonville FL 32256-2873	CONTACT NAME: Denise Pingel	
	PHONE (A/C No. Ext): 904-398-1234	FAX (A/C No.): 904-398-7432
E-MAIL ADDRESS: dkp@greehazel.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Westfield Insurance Company		24112
INSURER B: Bridgefield Employers Ins. Co.		10701
INSURER C: Tokio Marine Spec In		23850
INSURER D:		
INSURER E:		
INSURER F:		

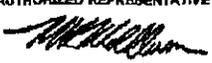
INSURED MCCUR-1
 McCurdy-Walden, Inc.
 5287 Commonwealth Ave.
 Jacksonville FL 32254

COVERAGES **CERTIFICATE NUMBER:** 1419619967 **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 ISURR (INSR) WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC	Y	PPK1168637	5/1/2014	5/1/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$Excl PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		TRA4795821	5/1/2014	5/1/2015	COMBINED SINGLE LIMIT (Ea Occurrence) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per Occurrence) \$ Comp/Colli Ded \$1,000
C	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$0		PUB457897	5/1/2014	5/1/2015	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below		52469	4/1/2014	4/1/2016	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	Inland Marine		TRA4795821	5/1/2014	5/1/2015	Lease/Rented \$80,000 Install/In Floater \$280,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 The City of Jacksonville, members, officials, officers, employees are additional insureds as respects to General Liability when required by written contract. A waiver of subrogation applies in favor of The City of Jacksonville, members, officials, officers, employees as respects to General Liability when required by written contract.

CERTIFICATE HOLDER City of Jacksonville 117 W. Duval Street Jacksonville FL 32202	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 
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