

3629-19
Amd 3

**THIRD AMENDMENT TO AGREEMENT
BETWEEN
THE CITY OF JACKSONVILLE
AND
ELLIS & ASSOCIATES, INC.
FOR
ENGINEERING TESTING SERVICES - PART B:
SOIL BORINGS, UNDERWATER CONDITION SURVEYS, AND RELATED TESTING**

THIS THIRD AMENDMENT to Agreement is made and entered into in duplicate this 25 day of June, 2015, by and between the CITY OF JACKSONVILLE, a municipal corporation in Duval County, Florida (hereinafter the "CITY"), and ELLIS & ASSOCIATES, INC., a Florida profit corporation with principal address at 7064 Davis Creek Road, Jacksonville, Florida 32256 (hereinafter the "CONSULTANT"), for Engineering Testing Services - Part B: Soil Borings, Underwater Condition Surveys, and Related Testing (hereinafter the "Project").

RECITALS:

WHEREAS, on July 13, 2012, the parties made and entered into City of Jacksonville Contract No. 3629-19 (hereinafter the "Agreement") for the Project; and

WHEREAS, said Agreement has been amended two (2) times previously; and

WHEREAS, said Agreement should be amended by extending the period of service from July 31, 2015, to January 31, 2016, subject to earlier termination, at terms mutually agreeable to the parties, and with no increase in the maximum indebtedness, such maximum indebtedness remaining a not-to-exceed amount of \$250,000.00, with all other provisions, terms, and conditions of said Agreement 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, correct, and incorporated herein by this reference.

2. Section 2.02 in said Agreement is amended in part by extending the period of service from July 31, 2015, to January 31, 2016, subject to earlier termination, at terms mutually agreeable to the parties, and as amended shall read as follows:

“2.02. PERIOD OF SERVICE

This Agreement shall commence on said Effective Date and shall continue and remain in full force and effect thereafter until JANUARY 31, 2015, or earlier termination as provided in Section 6.1 hereof.”

3. The total maximum indebtedness shall remain a not-to-exceed amount of \$250,000.00.

SAVE AND EXCEPT as expressly amended in this instrument, the provisions, terms, and conditions of said Agreement of July 13, 2012 (City of Jacksonville Contract No. 3629-19), as previously amended, shall remain unchanged and shall continue in full force and effect.

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

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

ATTEST:

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



CITY OF JACKSONVILLE

By Alvin Brown, Mayor

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

WITNESS:

By Becky Kiser
Signature
Becky Kiser
Type/Print Name
Executive Operations Administrator
Title

ELLIS & ASSOCIATES, INC.

By Michael L. Lithman, P.E.
Signature
Michael L. Lithman, P.E.
Type / Print Name
Executive Vice President
Title

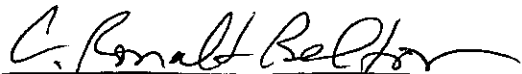
Encumbrance and funding information for internal City use:

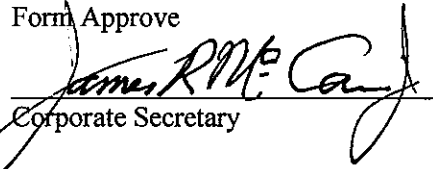
Account.....

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 # 3629-19
P/S

Form Approve

Corporate Secretary

Contract Encumbrance Data Sheet follows immediately.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/16/2015

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 Greene-Hazel and Associates, Inc. 10739 Deerwood Park Blvd. Suite 200 Jacksonville FL 32256	CONTACT NAME: Joanie Newton	
	PHONE (A/C, No, Ext): 904-398-1234	FAX (A/C, No): 904-396-7432
E-MAIL ADDRESS: jmn@greenehazel.com		
INSURED Ellis & Associates, Inc. 7064 Davis Creek Road Jacksonville FL 32256		INSURER(S) AFFORDING COVERAGE
ELLIS-4		NAIC #
INSURER A: Westfield Insurance Company		24112
INSURER B: Continental Casualty Company		20443
INSURER C: Bridgefield Employers Ins. Co.		10701
INSURER D:		
INSURER E:		
INSURER F:		

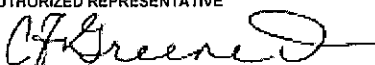
COVERAGES **CERTIFICATE NUMBER:** 658293248 **REVISION NUMBER:**

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 <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"/> PRO-JECT <input type="checkbox"/> LOC	Y	Y	CMM4196885	12/31/2014	12/31/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$10,000 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 ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS	Y		CMM4196885	12/31/2014	12/31/2015	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<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 \$10,000			CMM4196885	12/31/2014	12/31/2015	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
C	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 <input type="checkbox"/> N/A <input checked="" type="checkbox"/>		Y	38660	1/1/2015	1/1/2016	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <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
B	Professional Liability Including Pollution Liability Retro Date - 7/31/2008			MCH288291440	7/31/2014	7/31/2015	Per Claim \$1,000,000 Aggregate \$2,000,000 Deductible \$50,000

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

Project: 3629-19 - Engineering Testing Services-Part B: Soil Borings, Underwater Condition Surveys, and Related Testing. City of Jacksonville listed as Additional Insured with respect to General Liability, Automobile Liability. Valuable Papers Limit \$100,000, Waiver of Subrogation in favor of City of Jacksonville with respect to General Liability & Workers Compensation.

CERTIFICATE HOLDER City of Jacksonville 214 N Hogan 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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