

6398-20  
Amcl 3

**THIRD AMENDMENT TO AGREEMENT  
BETWEEN  
THE CITY OF JACKSONVILLE  
AND  
ENGLAND, THIMS & MILLER, INC.  
FOR  
DRAINAGE IMPROVEMENT PROGRAM MANAGEMENT**

THIS THIRD AMENDMENT to Agreement is made and entered into in duplicate this 6 day of Feb, 2015, by and between the CITY OF JACKSONVILLE, a municipal corporation in Duval County, Florida (hereinafter the "CITY"), and ENGLAND, THIMS & MILLER, INC., a Florida corporation with principal office located at 14775 Old St. Augustine Road, Jacksonville, Florida 32258 (hereinafter the "CONSULTANT"), for Drainage Improvement Program Management (hereinafter the "Project").

**RECITALS:**

**WHEREAS**, on February 14, 2011, the parties made and entered into City of Jacksonville Contract # 6398-20 (hereinafter the "Agreement") for the Project; and

**WHEREAS**, said Agreement has been amended twice previously; and

**WHEREAS**, said Agreement should be amended further by extending the period of service to January 31, 2017, 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, and for other good and valuable consideration, the legal sufficiency of which the parties admit, the parties agree to amend said Agreement 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 1.02 entitled "PERIOD OF SERVICE" in said Agreement is amended by extending the period of service to January 31, 2017, and as amended shall read as follows:

**"1.02 PERIOD OF SERVICE**

This Agreement shall commence on the Effective Date and shall continue and remain in full force and effect hereafter until January 21, 2017, or earlier termination as provided in Section 5.01 hereof."

**SAVE AND EXCEPT** as expressly amended in this instrument, the terms and conditions of the Agreement of February 14, 2011, as previously amended, shall be unchanged and shall remain in full force and effect.

**[The 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.  
Corporation Secretary



CITY OF JACKSONVILLE

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

ATTEST:

By IC SUANE KENT  
Signature  
Type/Print Name  
PROJECT MANAGER  
Title

ENGLAND, THIMS & MILLER, INC.

By Juanitta Bader Clem  
Signature  
Type / Print Name  
Vice President / Principal  
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 Belfo  
Director of Finance  
6398-20 pb

Form Approved:

James R. McCain, Jr.  
Office of General Counsel



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/31/2014

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).

<b>PRODUCER</b> Harden and Associates 501 Riverside Avenue, Suite 1000 Jacksonville FL 32202	<b>CONTACT NAME:</b> Todd Peters <b>PHONE (A/C No. Ext):</b> 904-354-3785 <b>E-MAIL ADDRESS:</b> tpeters@hardeninsight.com	<b>FAX (A/C No.):</b> 904-634-1302
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> ENGLA-1 England Thims & Miller Inc. Robert M Angas Assoc Inc; EMM Properties, LLC 14775 Old St. Augustine Rd. Jacksonville FL 32258	<b>INSURER A:</b> National Fire Insurance Co. NAIC # 20478	
	<b>INSURER B:</b> Valley Forge Insurance Company	
	<b>INSURER C:</b> Continental Casualty Co. 20443	
	<b>INSURER D:</b> Transportation Insurance Co. 20494	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES** CERTIFICATE NUMBER: 1082156927 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 SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <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"/> PROJECT <input type="checkbox"/> LOC		5095133518	1/1/2015	1/1/2016	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	<b>AUTOMOBILE LIABILITY</b> <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		2087980833	1/1/2015	1/1/2016	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$500 Comprehensive \$500 Collision
D	<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		2087980847	1/1/2015	1/1/2016	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	5096111288	1/1/2015	1/1/2016	<input checked="" type="checkbox"/> WC STATUTORY LIMITS E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
C	Professional Liability		AEH113771078	1/1/2015	1/1/2016	Per Claim \$10,000,000 Aggregate \$10,000,000

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

### CERTIFICATE HOLDER

Proof of Insurance

### 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

*Todd Peters*

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PROCUREMENT DIVISION



December 11, 2014

The Honorable Alvin Brown, Mayor  
City of Jacksonville  
4th Floor, St. James Building  
Jacksonville, FL 32202

Dear Mayor Brown:

**Ref: P-09-10 Drainage Improvements Program Management (Amendment No. 3)**  
Department of Public Works

The Professional Services Evaluation Committee met today in Board Room 851, on the eighth floor of the Ed Ball Building, for the purpose of amending the above-referenced contract.

The following motion and/or recommendation was adopted:

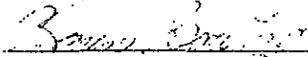
**That Contract Number 6398-20, originally executed February 14, 2011, between the City and England, Thims & Miller, Inc., for Drainage Improvement Program Management be amended to extend the period of service from January 31, 2015 to January 31, 2017. All other terms and conditions, as previously amended, shall remain the same. Nothing contained herein shall be amended, modified, or otherwise revised, without prior approval from PSEC and the Mayor.**

If the foregoing meets your approval, please affix your signature and return to my office.

Respectfully submitted,

  
Gregory Pease, Chief  
Procurement Division  
Chairman, Professional Services  
Evaluation Committee

APPROVED:

  
Alvin Brown, Mayor

This 16<sup>th</sup> day of December, 2014

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

GP:ab

cc Council Auditor,  
Sandra Stokkwell CCG  
Barbara Turner, GAD  
Subcommittee Members