

## AMENDMENT NO. 1

TO THE INTERLOCAL AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF MADEIRA BEACH FOR THE REPLACEMENT OF PINELLAS COUNTY UTILITIES 6" POTABLE WATER MAIN IN CONJUNCTION WITH THE PROPOSED ROADWAY, SIDEWALK AND DRAINAGE CONSTRUCTION IMPROVEMENTS ALONG SEGMENTS OF BOCA CIEGA DRIVE AND BOCA CIEGA AVENUE IN MITCHELL'S BEACH SUBDIVISION WITHIN THE CITY OF MADEIRA BEACH.

**THIS AMENDMENT** to the Interlocal Agreement is made and entered into as of the 13<sup>th</sup> day of AUGUST, 2017, by and between PINELLAS COUNTY, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners, hereinafter referred to as "COUNTY", and the CITY OF MADEIRA BEACH, FLORIDA, a municipal corporation within said Pinellas County, acting by and through its City Commission, herein referred to as "CITY", collectively referred to as the "PARTIES".

**WHEREAS**, on December 15, 2015, the PARTIES entered into an Original Agreement for the relocation of potable water mains, sanitary sewer mains, reclaimed water mains, multiple service connections, sanitary sewer laterals, fire hydrants, manholes and appurtenances related to construction improvements along Boca Ciega Avenue and Boca Ciega Drive in Mitchell's Beach Subdivision for an amount not to exceed of Five Hundred Fifty Thousand Dollars (\$550,000.00); and

**WHEREAS**, during the construction of the project, sections of the 6" potable water main along Boca Ciega Avenue and Boca Ciega Drive were found to be deteriorated cast iron pipe, requiring replacement; and

**WHEREAS**, the cost of the project will increase by Three Hundred Thirty Thousand and 00/100 Dollars (\$330,000.00) for replacement of the water main; and

**NOW, THEREFORE**, in consideration of the above and the mutual terms, covenants and conditions contained herein, the PARTIES agree that Section 5 Funding and Invoicing of the Agreement is amended as follows:

### SECTION 5

#### FUNDING AND INVOICING

The COUNTY will pay the total cost of construction, relocation of the potable water mains, sanitary sewer mains, reclaimed water mains, multiple service connections, sanitary sewer laterals, fire hydrants, manholes and appurtenances found to be in conflict with the proposed roadway, sidewalk and drainage system within Mitchell's Beach Subdivision along Boca Ciega Avenue to Boca Ciega Drive, east side of Gulf Boulevard and including the cross streets, which shall not exceed Eight Hundred Thousand Dollars (\$800,000.00).

The COUNTY will additionally pay 10% of the total cost of construction and relocation of COUNTY UTILITIES which shall not exceed Eighty Thousand Dollars (\$80,000.00) that will cover for mobilization, maintenance of traffic and miscellaneous administrative fees of the PROJECT.

The CITY shall initially pay the total construction cost for the PROJECT. The CITY will invoice the COUNTY for the costs of the relocation and replacement of the COUNTY UTILITIES, not to exceed Eight Hundred Eighty Thousand Dollars (\$880,000.00) upon approval of the COUNTY Project Manager and without unreasonable delay, except that this cost shall not exceed \$880,000.00, but in no circumstance shall the CITY be responsible for the cost to relocate and replace COUNTY UTILITIES.

During construction, the CITY shall process invoices from the contractor and submit a copy to the COUNTY along with progress reports and requests for payment. The COUNTY shall pay the CITY in accordance with the Florida Prompt Payment Act time schedule for construction projects.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

**IN WITNESS WHEREOF**, the PARTIES hereto, or their lawful representative, have executed this Amendment as of the date first above written.

CITY OF MADEIRA BEACH,  
a municipal corporation  
of the State of Florida

PINELLAS COUNTY, FLORIDA, a  
political subdivision of the State of  
Florida, by and through its Board of  
County Commissioners

By: Maggi Black  
Maggi Black, City Mayor

By: Janet G. Gray  
Chairman

ATTEST:

ATTEST: KEN BURKE, Clerk

By: [Signature]  
City Clerk

By: [Signature]  
Deputy Clerk  
(Seal)



APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: Carica Augello  
City Attorney

By: Joseph A. Morrison  
Office of the County Attorney