

SECOND AMENDMENT

This Amendment made and entered into this 27th day of September, 2023, by and between Pinellas County, a political subdivision of the State of Florida, hereinafter referred to as "County," and PCL Construction, Inc., Tampa, FL hereinafter referred to as "Contractor," (individually referred to as "Party", collectively "Parties").

WITNESSETH:

WHEREAS, the County and the Contractor entered into an agreement on August 6, 2019, pursuant to Pinellas County Contract No. 178-0407-NC(hereinafter "Agreement") pursuant to which the Contractor agreed to provide design and construction of the Pinellas County

Professional Design Build Services - Dunn Water Reclamation Facility Filtration & Disinfection Improvements project ; and

WHEREAS, Section 8 of the Agreement permits modification by mutual written agreement of the parties; and

WHEREAS, the County and the Contractor now wish to modify the Agreement in order to add additional time for the design and construction of the Pinellas County

Professional Design Build Services - Dunn Water Reclamation Facility Filtration & Disinfection Improvements project , at the same prices, terms, and conditions;

NOW THEREFORE, the Parties agree that the Agreement is amended as follows:

1. The Term is hereby extended for an additional four (4) months
2. Except as changed or modified herein, all provisions and conditions of the original Agreement and any amendments thereto shall remain in full force and effect.

Each Party to this Amendment represents and warrants that: (i) it has the full right and authority and has obtained all necessary approvals to enter into this Amendment; (ii) each person executing this Amendment on behalf of the Party is authorized to do so; (iii) this Amendment constitutes a valid and legally binding obligation of the Party, enforceable in accordance with its terms.

IN WITNESS WHEREOF the Parties herein have executed this Second Amendment as of the day and year first written above.

PINELLAS COUNTY, FLORIDA
by and through its Division Director of
Purchasing and Risk Management



Merry Celeste, Division Director

PCL Construction, Inc.



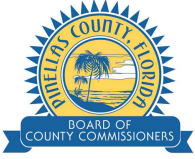
Authorized Signature

Printed Authorized Signature **Jim Holtje**
Area Manager &
Authorized Signer

Title Authorized Signature

APPROVED AS TO FORM

By: Joseph Morrissey
Office of the County Attorney



Pinellas County

Staff Report

Approved by Purchasing Director 9-27-23

File #: 23-0753D, **Version:** 1

Agenda Date: 12/25/2030

Subject:

Second amendment with PCL Construction, Inc. for the Dunn Water Reclamation Facility Filtration and Disinfection Improvement Design-Build project.

Recommended Action:

Approval and execution by the Purchasing Director of the second amendment to the agreement with PCL Construction, Inc. of a Time Extension only, for the Dunn Water Reclamation Facility Filtration and Disinfection Improvement Design Build project.

- This Second Amendment extends the contract by 4 months to allow for payment of invoices for work already performed and to continue work on the current project. The Project Manager was changed, and subsequently the CPA was allowed to expire unintentionally.
- This contract was awarded by the Board of County Commissioners (Board) to PCL Construction on August 6, 2019, in the amount of \$1,270,796.00 for Phase 1 Design Services. The Phase 2 Construction agreement was awarded by the Board on September 9, 2021, in the amount of \$11,921,504.00 (Change Order No. 1) for a total contract amount of \$13,192,300.00.
- During deep foundation drilling operations for the disinfection facility, a depression formed on September 19, 2022. The depression grew until approximately 3:00pm, reaching an approximate size of 25 feet by 30 feet by 12 feet deep. The depression exposed several critical utilities (24 inch force main, 6 inch RCW main, electrical duct bank) which were immediately supported by using one of the 40 foot casing pipes. These utilities were later supported by 60 foot I-Beams obtained by PCL and the County.
- Also, emergency procedures were set in place by the Design Build (D/B) team and the County to contain any spill if the 24-inch force main failed due to the depression event. This depression also caused the 12-inch reject pond drain line to collapse into the hole. This pipe was 15 feet deep and could not be repaired.

Contract 178-0407-NC; no fiscal impact associated with this four month time extension through December 3, 2023.