

FIRST AMENDMENT
TO AGREEMENT BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
CITY OF CLEARWATER
AND
PINELLAS COUNTY
FOR
LOWER SPRING BRANCH CONVEYANCE IMPROVEMENTS (N915)

This FIRST AMENDMENT effective upon execution by all parties, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as the "DISTRICT", and the CITY OF CLEARWATER, a municipal corporation of the State of Florida, having an address of 112 Osceola Avenue, Clearwater, Florida 33756, hereinafter referred to as the "CITY", and PINELLAS COUNTY, a political subdivision of the State of Florida, whose address is 315 Court Street, Clearwater, Florida 33756, hereinafter referred to as the "COUNTY."

WITNESSETH:

WHEREAS, the DISTRICT, the CITY and the COUNTY entered into an agreement effective October 1, 2017, (Agreement No. 18CF0000878), hereinafter referred to as the "Existing Agreement," for design, permitting, and construction of conveyance improvements along the Lower Spring Branch of Stevenson Creek in Pinellas County; and

WHEREAS, the parties hereto wish to amend the Existing Agreement to replace the DISTRICT's Contract Manager, extend the contract period and modify the Project Schedule.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties hereby mutually agree to amend the Existing Agreement as follows:

1. The Project Contacts and Notices Paragraph is hereby amended to replace the DISTRICT'S Contract Manager with Nicole Mytyk.
2. The Contract Period Paragraph is hereby amended to extend the expiration date of September 1, 2021 to June 30, 2024.

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3. The Project Schedule section set forth in the Project Plan is hereby replaced in its entirety with the following:

PROJECT SCHEDULE (CITY)

DESCRIPTION	COMMENCE	COMPLETE
Design	09/12/2018	05/01/2021
Permitting	03/01/2021	05/01/2021
Bidding & Contract Award	06/01/2021	08/01/2021
Construction and Construction engineering & Inspection (CEI)	11/01/2021	11/01/2023
As-built Survey, Record Drawing & Substantial Completion	11/02/2023	12/01/2023

PROJECT SCHEDULE (COUNTY)

DESCRIPTION	COMMENCE	COMPLETE
Bidding & Contract Award	08/24/2018	01/08/2019
Construction and Construction Engineering & Inspection (CEI)	03/08/2019	04/30/2021
As-Built Survey, Record Drawings & Substantial Completion	04/30/2021	09/30/2021

Additional task deadlines contained in the performance schedules of the consultant and contractor contracts will be incorporated herein by reference.

4. The terms, covenants and conditions set forth in the Existing Agreement that have not been specifically amended herein, will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

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IN WITNESS WHEREOF, the parties hereto, or their representatives, have executed this Agreement on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: Jennette Seachrist 7-12-21
Jennette M. Seachrist, P.E. Date
Director, Resource Management Division

CITY OF CLEARWATER
By: Frank V. Hibbard 5.7.21
Frank Hibbard Date
Mayor

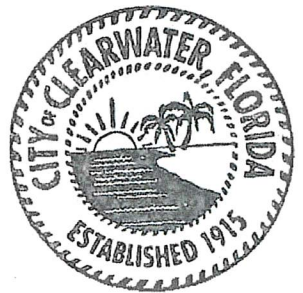
By: William B. Horne II 5-10-21
William B. Horne II Date
City Manager

Approved as to form:

Owen Kohler
Owen Kohler
Assistant City Attorney

Attest:

Rosemarie Call
Rosemarie Call
City Clerk



PINELLAS COUNTY

By: Joe Lauro Dir Admin Svs 6-15-2021
Name Date
Joe Lauro
Admin. Services Director

By: Brendan Mackesy
Brendan Mackesy
Pinellas County Attorney



CLEARWATER
BRIGHT AND BEAUTIFUL BAY TO BEACH

Interoffice Correspondence Sheet

To: Kristen Paréte, Legal Staff Assistant to
Owen Kohler, Assistant City Attorney

From: Douglas Seaman, Senior Professional Engineer *DCS*

CC: Project File

Date: 4/19/2021

RE: First Amendment to Agreement between SWFWMD and City of Clearwater and Pinellas
County for Lower Spring Branch Conveyance Improvements (N915) (14-0048-EN)

Amendment is scheduled for the 5/3 Worksession-5/6 Council Meeting.

Please find attached for Owen's signature, two (2) originals of the above referenced Agreement Amendment. Following Owen's signature, the documents may be forwarded to the City Manager's Office for the Manager's signature at your earliest convenience.

Once signed by all city staff, please return to Laura Davis in Engineering, who will forward to Pinellas County, and ensure once an executed document is received back from SWFWMD, it is provided to Official Records for Laserfiche.