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NASSAU COUNTY
ENGINEERING SERVICES
DEPARTMENT

**FIRST AMENDMENT TO THE AGREEMENT FOR THE THOMAS
CREEK RESTORATION PROJECT - PHASE EIGHT**

THIS ADDENDUM entered into this ^{8th} ~~3rd~~ day of ~~April~~ ^{OK} May, 2017 by and between the BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, a political subdivision of the State of Florida, (hereinafter referred to as "County") and HAYWARD CONSTRUCTION GROUP, LLC, 12058 San Jose Boulevard, Suite #1003, Jacksonville, Florida 32223, (hereinafter referred to as "Contractor").

WHEREAS, the parties entered into an Agreement dated April 20, 2016 for the Thomas Creek Restoration Project - Phase Seven; and

WHEREAS, the original agreement provided for additional phases to be added to the scope of work based upon available funding and where it is deemed to be in the best interest of the County; and

WHEREAS, the County entered into a Fiscal Year 2017 Rural Economic Development Initiative (REDI) Community and Innovative Cost Share Funding Program Agreement, Contract #30186 with the St. John's River Water Management District for funding in the amount of \$500,000.00 for Phase Eight of the Thomas Creek Restoration Project, and

WHEREAS, the parties agreed to amend the agreement to add the scope of work and fee for the completion of the Thomas Creek Restoration Project - Phase Eight.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. The Work for Phase Eight of the Thomas Creek Restoration Project includes, but is not limited to, the restoration and de-snagging of Thomas Creek; removing dead trees as well as uprooted trunks, limbs and parts of trees and debris in accordance with the revised scope of services, attached hereto as Attachment "A".

2. Add the following paragraph to Article 4 - Contract Times as follows:

4.02 A. The Work for Phase Eight of the Thomas Creek Restoration Project will be substantially completed within one hundred fifty (150) days after the date when the Contract Times commence to run as provided in Paragraph 2.03 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions within one hundred eighty (180) days after the date when the Contract times commence to run.

3. Add the following paragraph to Article 5 - Contract Price, Section 5.01 B as follows:

PHASE EIGHT - UNIT PRICE WORK

Description	Unit	Quan.	Unit Price	Amount
Mobilization	LS	1	\$12,500	\$12,500
Phase 8	LF	5,540	\$88	\$487,500
Total:				\$500,000

4. Add the following paragraph to Article 6 - Payment Procedures as follows:

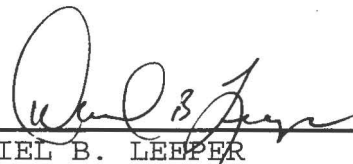
6.02 A.1. The Owner shall pay the Contractor for the work performed for Phase Eight pursuant to the following draw schedule:

Mobilization	\$ 12,500
1 st Draw (after 1,000 ft. cleared)	\$ 88,000
2 nd Draw (after 2,000 ft. cleared)	\$ 88,000
3 rd Draw (after 3,000 ft. cleared)	\$ 88,000
4 th Draw (after 4,000 ft. cleared)	\$ 88,000
5 th Draw (after 5,000 ft. cleared)	\$ 88,000
6 th Draw (upon completion of project)	\$ 47,500

5. All other provisions of said Agreement not in conflict with this Addendum shall remain in full force and effect.


6. Time is of the essence.

**BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA**



DANIEL B. LEEPER
Its: Chairman

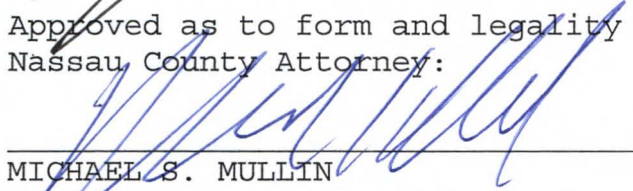
Attest to Authenticity of
Chair's signature:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

MES
05-11-17

Approved as to form and legality by the
Nassau County Attorney:



MICHAEL S. MULLIN

[Contractor signature on next page]

HAYWARD CONSTRUCTION GROUP, LLC

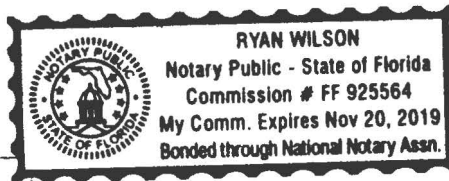
Scot F Bedingfield
Its: Managing Mbr - V Pres

STATE OF Florida
COUNTY OF Duval

Before me personally appeared, Scot Bedingfield,
who is personally known _____ or produced _____
as identification, known to be the person described in and
who executed the foregoing instrument, and acknowledged to
and before me that he/she executed said instrument for the
purposes therein expressed.

WITNESS my hand and official seal, this 3 day of
April, 2017.

Ryan Wilson
Notary Signature



Notary-Public-State of FL at large
My Commission expires:

Attachment A
Thomas Creek Restoration - Phase 8
Scope of Work

The project consists of the restoration and de-snagging of Thomas Creek, Phase 8, removing dead trees as well as uprooted trunks and fallen limbs and parts of trees that have fallen into Thomas Creek. The location of the project is at Thomas Creek (03070205) from bank to bank, which is the border between Nassau and Duval Counties, starting at the end of Phase 7 (Lat. 30.494 degrees and Long. -81.801 degrees), following the centerline of the Creek's channel approximately 5,540 feet southwest and upstream.

NOTICE TO PROCEED

TO: Hayward Construction Group, LLC
12058 San Jose Blvd. #1003
Jacksonville, Florida 32223

PROJECT: **Thomas Creek Restoration Project – Phase 8**
Bid Number NC16-004
Contract Number: CM2309-A1
Nassau County, Florida

You are hereby notified to commence work in accordance with the Agreement dated April 20, 2016, and amended May 8, 2017.

The Contract time for Substantial Completion is 150 consecutive calendar days from the date of commencement.

The Contract time for Final Completion is 45 consecutive calendar days from the date of Substantial Completion.

The Contract time commences to run on June 19th, 2017.

The date of Substantial Completion is November 15th, 2017.

The date of Final Completion is December 30th, 2017.

Nassau County Board of County Commissioners (or designee)

BY: 

TITLE: Public Works Director

DATE: 6/15/17

You are required to return an acknowledged copy of the Notice to Proceed to The Nassau County Board of County Commissioners, c/o John A. Crawford, Ex-Officio Clerk, 76347 Veterans Way, Suite 456, Yulee, Florida 32097.

ACCEPTANCE OF NOTICE

Receipt of the above Notice to Proceed is hereby acknowledged

this 15th day of June, 2017.

BY: 

TITLE: V.P.