

BOCC CONTRACT APPROVAL FORM

(Contract Management Use only)
CONTRACT TRACKING NO.
<u>CM2992-A1</u>

GENERAL INFORMATION

Requesting Department South Amelia Island Shore Stabilization Municipal Services Benefit Unit
 Contact Person: Drew Wallace, SAISSA President / Bill Moore, SAISSA Tech. Representative
 Telephone: (904) 753-4178 Fax: () _____ Email: moor1706@bellsouth.net

CONTRACTOR INFORMATION

Name: S.J. Hamill Construction Company, LLC
 Address: 2008 Cherry Hill Lane Charleston SC 29405
City State Zip
 Contractor's Administrator Name: Will Spielvogel, P.E. Title: President
 Telephone: (843) 872-8001 Fax: () _____ Email: will@sjhamill.com

IDENTIFY WHO WILL SIGN CONTRACT ON BEHALF OF CONTRACTOR (NAME AND EMAIL ADDRESS)

Authorized Signatory Name: Will Spielvogel, P.E.
 Authorized Signatory Email: will@sjhamill.com

CONTRACT INFORMATION

Contract Name: CM-2992 South Amelia Island Dredging and Beach Nourishment Project
 Description: Beach Nourishment, 1.8M cubic yards, sand to be dredged from Nassau Sound ebb shoal
GOODS AND/OR SERVICES TO BE PROCURED, PHYSICAL LOCATION, ETC.
 Terms: Payment Period: July to November 2021 Amount per Period: \$ 2,919,400.00/mo. (avg.)
 Total Amount of Contract: \$14,597,000.00
APPROXIMATE IF NECESSARY

Source of Funds: SAISS-MSBU Termination/Cancellation: n/a

Authorized Signatory: Taco E. Pope, AICP, County Manager
IDENTIFY WHO WILL SIGN CONTRACT ON BEHALF OF BOCC

Contract Dates: From: May 2021 to: December 2021

Status: New Renew Amend# 1 WA/Task Order

How Procured: Sole Source Single Source ITB RFP RFQ Coop. Other _____

If Processing an Amendment:

Contract #: CM2992 Increased Amount of Existing Contract: \$0.00 (no change)
 New Contract Dates: (no change) to (no change) Total or Amendment Amount: \$0.00 (no change)

Continued on next page

CHECKLIST*Complete and attach before sending contract for final signature*

Requirement	Description	Certified Complete By
Contract, Exhibits and Appendices	1) The contract and all documents incorporated by reference in the contract, including exhibits and appendices are attached (including E-Verify, Pricing, Scope, etc.) and properly identified; and 2) All such documents have been read and agreed to in their entirety by originating department and any faculty and staff members who have obligations under this contract.	
Name, Address, Contact Person	The full name, address, legal status (i.e., corporation, partnership, etc.) and contact person of other party are included.	
Understanding	Written contract matches the verbal understanding of all parties. All terms and conditions conform to the final negotiations/agreement of the parties.	
Competition/Conflicts and Existing Contracts/ Compliance	This contract does not conflict with any other contracts, promises or obligations of the BOCC. The requesting department verifies the BOCC can comply with all terms and conditions.	
Other Necessary Agreements	All other necessary agreements or waivers referred to in contract have been obtained and are attached and properly identified for reference.	
Indemnification	BOCC may not indemnify, hold harmless, be liable to, or reimburse any other party to the contract for claims, lawsuits, damages, attorney fees, or losses incurred by that party in connection with the contract.	
Term of Contract	Start and end dates of contract are included. Any renewals are included.	
Warranties/Guarantees	Warranties or guarantees give satisfactory protection.	
Insurance	Risk manager _____ has or _____ will approve insurance clauses. Levels confirmed ins requirements	
Governing Law	The contract is governed under the laws of the State of Florida. The contract may be silent on this issue but in no event will another state's law govern the agreement.	
Confidentiality Agreements	All nondisclosure clauses include exceptions regarding disclosure as required by law. If not applicable, indicate "n/a."	
Printed/Typed Names	Names of all persons signing contracts are printed or typed below signatures.	

APPROVALS PURSUANT TO NASSAU COUNTY PURCHASING POLICY

- | | | |
|-------------------------------------|-----------|-----------------------|
| 1. <u>WILLIAM MOORE</u> | 7/22/2021 | |
| Department Head Signature | Date | Submitting Department |
| 2. <u>[Signature]</u> | 7/22/2021 | |
| Procurement | Date | Funding Source/Acct # |
| 3. <u>Megan Diehl</u> | 7/23/2021 | |
| Office of Management & Budget | Date | |
| 4. <u>Michael S. Mullin</u> | 7/28/2021 | |
| County Attorney/Contract Management | Date | |

COUNTY MANAGER – FINAL SIGNATURE APPROVAL

- | | |
|------------------------------|-----------|
| 5. <u>Taco E. Popey AICP</u> | 7/28/2021 |
| County Manager | Date |

RETURN ORIGINAL(S) TO CONTRACT MANAGEMENT FOR DISTRIBUTION AS FOLLOWS:

Original: Clerk's Services; Contractor (original or certified copy)
Copies: Department: Procurement; Office of Management & Budget; County Attorney; Contract Management; Clerk Finance

MEMORANDUM

Date: 04 June 2021

To: Mr. Michael M. Mullin, Esq. – Nassau County, FL

From: Albert E. Browder, Ph.D., P.E. *AEB*
Principal Engineer, Project Manager

Cc: Drew Wallace, SAISSA
William Moore, SAISSA

Re: AMENDMENT #01 to Nassau County, FL Contract CM #2992
South Amelia Island Dredging and Beach Nourishment Project (CM #2992)
Contractor: SJ Hamill Construction Company, LLC



olsen
associates, inc.
Coastal Engineering

Pursuant to your e-mail request, please see the attached DRAFT amendment to the above-referenced Contract. The amendment is proposed to clarify the responsibilities of the Contractor in regard to the application of State Lands Use Agreement # U-0470, in particular those relating to compliance with the special conditions of the Use Agreement. As stated in the Contract Documents, compliance is required with the terms and conditions of the permits associated with the project (as listed and included as Appendix A to the Contract).

For reference, a copy of the document “Use Agreement No. U-0470” is attached. The document shall be executed by the Nassau County Board of County Commissioners and returned to the State of Florida for final execution.

Enc.– DRAFT Amendment #1 to Nassau County, FL CM#2992
State of Florida Use Agreement No. U-0470

AMENDMENT # 01 TO NASSAU COUNTY, FL CONTRACT #2992

This Amendment No. 1 entered into on this 3rd day of August, 2021, between the Board of County Commissioners of Nassau County, Florida, 96135 Nassau Place, Suite 1, Yulee, Florida, 32097, a political subdivision of the State of Florida (hereinafter "County" or "Owner") and SJ Hamill Construction Company, LLC, (hereinafter "Contractor"), whose primary business address is 2008 Cherry Hill Lane, Charleston, SC 29405.

WHEREAS, The County and Contractor previously entered into this certain contract, effective May 18, 2021, to construct the SOUTH AMELIA ISLAND DREDGING & BEACH NOURISHMENT PROJECT (Contract CM#2992).

WHEREAS the Parties desire to amend the Original Agreement to clarify the responsibilities of the Contractor in regard to permit compliance, particularly relating to the application of the State of Florida Lands Use Agreement # U-0470 and the responsibilities relating to compliance with the special conditions of the Use Agreement (included in Appendix A to the Contract).

NOW THEREFORE, in consideration of the promises and mutual covenants herein contained, the Parties hereby agree as follows

1. Item 2.10 of the Contract Specifications (pg. 3000-3) is deleted in its entirety and replaced with the following (amended language highlighted in italics):

2.10 Letter Regarding Permit Conditions. The Contractor shall submit to the Owner and Engineer at least fifteen (15) days prior to the initiation of Work a letter attesting to his understanding and intent to fully comply with the project's permit conditions, *including being responsible to perform and adhere to the special conditions of the Grantee, as set forth in enumerated paragraph 32 of Use Agreement No. U-0470 by and between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and Nassau County, Florida.* A similar letter (or endorsement by the Contractor) shall be required of each Subcontractor which will perform work within or adjacent to the beach fill area. *The three project permits, FDEP Joint Coastal Permit, USACE Department of the Army Permit, and State of Florida Use Agreement, are included in this Contract as Appendix A.*

2. All other terms and conditions of the Original Contract, which are incorporated herein by this reference, not inconsistent with the provisions of this Amendment, shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Contract to be executed by its duly authorized representatives as of the date on which the last of the parties hereto executes this Contract.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

By:

Taco E. Pope, AICP
Taco E. Pope, AICP, County Manager

Date: 7/28/2021

CONTRACTOR:
SJ HAMILL CONSTRUCTION COMPANY, LLC

By: Will Spielvogel

Date: 8/3/2021

will spielvogel President
Name and Title – Typed or Printed