

CS-21-118

BOCC CONTRACT APPROVAL FORM

(Contract Management Use only)
CONTRACT TRACKING NO.
CM2992-A4

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 X Amend# 4 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: 2/14/2022 (subst. complete) Total or Amendment Amount: \$0.00 (no change)

Continued on next page

CHECKLIST		
<i>Complete and attach before sending contract for final signature</i>		
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> | 1/11/2022 | |
| Department Head Signature | Date | Submitting Department |
| 2. <u>Marshall Eyerman</u> | 1/11/2022 | |
| Procurement | Date | Funding Source/Acct # |
| 3. <u>Marshall Eyerman</u> | 1/19/2022 | AK 1/18/2022 |
| Office of Management & Budget | Date | |
| 4. <u>Denise C. May, Esq., BCS</u> | 1/19/2022 | |
| County Attorney | Date | |

COUNTY MANAGER – FINAL SIGNATURE APPROVAL

- | | |
|------------------------------|-----------|
| 5. <u>Taco E. Popey AICP</u> | 1/20/2022 |
| 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

AMENDMENT # 04 TO NASSAU COUNTY, FL, CONTRACT #2992
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This Amendment No. 4 entered into on this 22nd day of January, 20²², 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), and amended this certain contract on August 3, 2021, September 22, 2021, and 15 December, 2021.

WHEREAS the Parties desire to amend the Original Agreement (as previously amended) to incorporate and/or clarify contract provisions required by the Federal Emergency Management Agency (FEMA) during FEMA beach repair projects.

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

1. The Original Contract is hereby amended to include additional days of contract time to account for unanticipated adverse weather conditions experienced over the course of construction to date. The date of Substantial Completion is now February 14, 2022, and the date of Final Acceptance is March 16, 2022.
2. Article 4, Item 4.01A of the Agreement is hereby deleted and replaced in its entirety with the following:
 - A. *Contractor shall initiate dredging and beach fill operations for the Project and shall complete sand placement from the point of initial sand placement to the point of Substantial Completion within two hundred two (202) days. Initial sand placement is defined by the placement of 1,000 cubic yards of material on the beach from the Nassau Sound borrow area, measured in place within the prescribed beach fill pay template. Substantial Completion of the beach fill is defined by the placement and surveyed acceptance of the volumes established in the Contract Specifications and Drawings.*
3. The first paragraph of Item 4.02 of the Agreement is hereby deleted and replaced in its entirety with the following:

The contract time for this project is a total of two hundred sixty four (264) calendar days from the County's issuance of the Notice to Proceed to reach Substantial Completion of the Project and two hundred ninety four (294) calendar days from the Notice To Proceed for Final Acceptance of the entire Project.
4. All other terms and conditions of the Original Contract (as previously amended), 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: 1/20/2022

CONTRACTOR:
SJ HAMILL CONSTRUCTION COMPANY, LLC

By: Will Spielvogel

Date: 1/22/2022

will spielvogel President
Name and Title – Typed or Printed