

SECOND AMENDMENT
 TO AGREEMENT BETWEEN THE
 SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
 AND
 CITY OF CLEARWATER
 FOR
 DRUID ROAD STORMWATER IMPROVEMENT AREA (N720)

This SECOND AMENDMENT entered into and effective upon execution by both parties, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida whose address is 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, whose address is 112 S. Osceola Avenue, Clearwater, Florida 33756, hereinafter referred to as the "COOPERATOR."

WITNESSETH:

WHEREAS, the DISTRICT and the COOPERATOR entered into an agreement effective October 1, 2015, as amended October 30, 2017 (Agreement No. 16CF0000153), hereinafter referred to as the "Existing Agreement," for the construction of a nutrient separating baffle box to provide water quality benefits for an area that currently receives no treatment, hereinafter referred to as the "PROJECT;" and

WHEREAS, the parties hereto wish to amend the Existing Agreement to extend the contract period, modify the Project Schedule, and update contract language applicable to the DISTRICT'S cooperatively funded projects.

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 Contract Period Paragraph is hereby amended to extend the expiration date of March 30, 2019 to March 30, 2020.
2. The Project Schedule section set forth in Exhibit "A" is hereby replaced in its entirety with the following:

PROJECT SCHEDULE

DESCRIPTION	START	FINISH
Bidding and Contract Award	October 1, 2015	January 31, 2017
Construction and Construction Engineering and Inspection (CEI)	February 1, 2017	June 29, 2019
As-Built Survey & Record Drawing	June 29, 2019	September 30, 2019

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

3. New Paragraph 27, Scrutinized Companies, is hereby added as follows:

27. SCRUTINIZED COMPANIES.

Pursuant to Section 287.135, F.S., a company that, at the time of submitting a bid or proposal for a new contract or renewal of an existing contract, is on the Scrutinized Companies that Boycott Israel List, or is engaged in a boycott of Israel, is ineligible to, and may not bid on, submit a proposal for, or enter into or renew a contract with an agency or local governmental entity for goods or services in any amount. If the goods or services are in the amount of \$1 million dollars or more, the company must also not be on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or be engaged in business operations in Cuba or Syria.

By signing this Agreement, the COOPERATOR certifies that it is not on any of the lists or engaged in any of the prohibited activities identified above, as applicable based upon the amount of this Agreement. The COOPERATOR agrees to notify the DISTRICT if it is placed on any of the applicable lists or engages in any of the prohibited activities during the term of this Agreement. The DISTRICT may immediately terminate this Agreement at its option if the COOPERATOR is found to have submitted a false certification, is placed on any of the applicable lists or engages in any prohibited activities.

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 lawful representatives, have executed this SECOND AMENDMENT on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Jennette M. Seachrist, P.E. Date
Director, Resource Management Division

CITY OF CLEARWATER

By: _____ Date
Name: _____
Title: _____
Authorized Signatory

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