



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AMENDMENT**

4600001900-A02

AMENDMENT NO. 02

TO AGREEMENT NO. 4600001900

BETWEEN THE

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

AND

CITY OF CORAL GABLES

This **AMENDMENT NO. 02**, is entered into on _____, to that **AGREEMENT** dated February 5, 2010, and as amended on March 23, 2011, between "the Parties," the South Florida Water Management District (**DISTRICT**), and City of Coral Gables (**CITY**).

WITNESSETH THAT:

WHEREAS, the **AGREEMENT** may be amended with the prior written approval of the Parties; and

WHEREAS, the Parties wish to amend the **AGREEMENT** in order to extend the period of performance, and revise the Payment and Deliverable Schedule of the **AGREEMENT**;

NOW THEREFORE, the **DISTRICT** and the **CITY**, in consideration of the mutual benefits flowing from each to the other, do hereby agree as follows:

1. The term of the **AGREEMENT** is hereby extended by twelve (12) months and the expiration date, as amended, is September 4, 2012. Regardless of the actual date of execution, this **AMENDMENT NO. 02** shall be effective as of December 5, 2011.

2. The Payment and Deliverable Schedule is also hereby revised in accordance with Exhibit "B2", attached hereto and made a part of this **AMENDMENT NO. 02**.

3. This **AMENDMENT NO. 02** shall be at no additional cost to the **DISTRICT**.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4. All other terms and conditions of the **AGREEMENT** remain unchanged.

IN WITNESS WHEREOF, the Parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 02** on the date first written above.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Dorothy A. Bradshaw, Procurement Bureau Chief

SFWMD PROCUREMENT APPROVED
BY: [Signature]
DATE: 11/6/11 [Signature]

AS TO CITY:

ATTEST:

Patrick G. Salerno
City Manager

Walter J. Foeman
City Clerk

Approved by
Department Director or head of the
Negotiations team as to
the negotiated business terms:

APPROVE AS TO FORM AND
LEGAL SUFFICIENCY:

Glenn R. Kephart
Public Works Director

Craig E. Leen
City Attorney

EXHIBIT "B2"
PAYMENT AND DELIVERABLES SCHEDULE

This is a cost-share project with funding coming from the District and the City of Coral Gables. Total payment by the District shall not exceed the amount of **\$500,000**** for this cooperative agreement. The total project cost is estimated to be \$4,200,000. Invoices shall be accompanied by adequate documentation to demonstrate the completion of each task in accordance with the Statement of Work requirements and the City's cost share within the not-to-exceed amounts specified below in accordance with Article 3 of the Agreement. All deliverables submitted hereunder are subject to review and acceptance by the District. Acceptability of all work will be based on the judgment of the District that the work is technically complete and accurate. If the total consideration for this Agreement is subject to multi-year funding allocations, funding for each applicable fiscal year of this Agreement will be subject to Governing Board budgetary appropriation. In the event the District does not approve funding for any subsequent fiscal year, this agreement shall terminate upon expenditure of the current funding, notwithstanding other provisions in this Agreement to the contrary. The City is responsible for reviewing and approving deliverables to ensure that project objectives are met. The City is also responsible for project management, budget management and quality control.

Task	Deliverable	Due Date	DISTRICT* Not-to Exceed Payment
Task 1: Engineering Design	As per Task 1 Deliverables in Section 4.0	Not later than November 30, 2009	\$0
Task 2: Permitting	As per Task 2 Deliverables in Section 4.0	Not later than November 30, 2009	\$0
Task 3a: Construction FY2010	As per Task 3 Deliverables in Section 3.0	Not later than September 1, 2010	\$250,000
Task 3b: Construction FY2011	As per Task 3 Deliverables in Section 3.0	Not later than July 31, 2011	\$200,000
Task 4: Final Acceptance	As per Task 4 Deliverables in Section 4.0	Not later than September 30, 2012	\$50,000

* The District shall only be obligated to pay for documented actual expenditures within the not-to-exceed amounts specified above. In the event actual expenditures by the City are less than the not-to-exceed for a particular task, the City shall have the right to apply the unexpended balance towards a subsequent task. The City shall provide written notice of its decision to exercise this right. In no event shall the District's total obligation exceed \$500,000 as specified above. The City is responsible for any additional funds either through local revenues, grants, other appropriations, and/or other funding sources.