



**CITY OF DELRAY BEACH
100 NW 1st AVENUE, DELRAY BEACH, FL 33444**

**AMENDMENT NO. 1 TO AGREEMENT RFQ 2022-034 FOR
OWNER'S REPRESENTATIVE SERVICES FOR THE DESIGN-BUILD CONSTRUCTION
PROJECT OF A NEW WATER TREATMENT PLANT AND RELATED IMPROVEMENTS**

HAZEN AND SAWYER, P.C.

CITY OF DELRAY BEACH
AMENDMENT NO. 1 TO AGREEMENT RFQ 2022-034 FOR
OWNER’S REPRESENTATIVE SERVICES FOR THE DESIGN-BUILD CONSTRUCTION
PROJECT OF A NEW WATER TREATMENT PLANT AND RELATED IMPROVEMENTS

THIS AMENDMENT NO. 1 to Agreement RFQ 2022-034 for Owner’s Representative Services for the Design-Build Construction Project of a New Water Treatment Plant and Related Improvements, dated November 15, 2022, by and between the City of Delray Beach, a municipal corporation of the State of Florida (the “City”), whose address is 100 NW 1st Avenue, Delray Beach, Florida 33444 and Hazen and Sawyer, P.C., a Florida corporation (the “Contractor”), whose address is 4000 Hollywood Boulevard, Suite 750N, Hollywood, Florida 33021 is entered into this ____ day of _____, 20__.

WITNESSETH:

WHEREAS, on November 15, 2022, the City entered into an agreement with Contractor for owner’s representative services for the design-build construction project of a new water treatment plant and related improvements (the “Agreement”); and

WHEREAS, the Agreement incorporated Work Authorization No. 1 that included water treatment plant concept validation, design-build procurement services, project controls and reporting, and additional engineering services; and

WHEREAS, the Contractor submitted Work Authorization No. 2 for funding assistance, predesign engineering, review of design packages, schedule and cost review, and additional engineering services for Phase 1 of the Progressive Design-Build for the Water Treatment Plant; and

WHEREAS, the parties seek to amend the Agreement to include the new scope of services in Work Authorization No. 2, attached hereto and incorporated herein as Exhibit “A”, in the estimated not-to-exceed amount of \$522,957.08; and

WHEREAS, the Contractor submitted Work Authorization No. 3 to prepare specifications to integrate data into the Cityworks computerized maintenance and management system (“CMMS”) as the repository for the City’s water and wastewater assets, develop requirements for design-builder submittals, and evaluate multiple CMMS solutions and provide a list of recommended vendors; and

WHEREAS, the parties seek to amend the Agreement to include the new scope of services in Work Authorization No. 3, attached hereto and incorporated herein as Exhibit “B”, in the estimated not-to-exceed amount of \$119,989.92; and

WHEREAS, Contractor agrees to continue to provide services to the City in accordance with the terms and conditions of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and considerations set forth in this Amendment, the receipt and sufficiency which are hereby acknowledged, the parties agree as follows:

1. The above recitals are true and correct and are incorporated herein.
2. The Agreement is hereby amended to add the scope of services and fees in Exhibit “A”, attached hereto and incorporated herein.
3. The Agreement is hereby amended to add the scope of services and fees in Exhibit “B”, attached hereto and incorporated herein.
4. Except as provided herein, all other terms and conditions of the Agreement remain in full force and effect and are hereby confirmed. The Agreement and this Amendment No. 1 represent the entire understanding between the parties on the issues contained herein, either written or oral, and may only be amended by written instrument signed by both parties.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have executed this Amendment on the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH

Katerri Johnson, City Clerk

By: _____
Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

HAZEN AND SAWYER, P.C.

By: _____

Print Name: _____

Title: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of _____, 20__, by _____ (name of person), as _____ (type of authority) for _____ (name of party on behalf of whom instrument was executed).

Personally known ___ OR Produced Identification
Type of Identification Produced _____

Notary Public – State of _____