

SECOND AMENDMENT

THIS IS SECOND AMENDMENT dated the _____ day of _____ 2017, between:

CITY OF POMPANO BEACH, a municipal corporation of the State of Florida, whose address is 100 West Atlantic Boulevard, Pompano Beach, Florida 33060, hereinafter referred to as "CITY,"

and

ASHBRITT, INC., a Florida corporation, having its office and place of business at 565 E. Hillsboro Blvd., Deerfield Beach, Florida 33441, hereinafter referred to as "CONTRACTOR."

WHEREAS, the parties entered into a Contract for Disaster Debris Recovery Services on September 16, 2014, ("Original Agreement"), and approved by Resolution No. 2014-308; and

WHEREAS, the parties entered into a Reinstatement and First Amendment to the Original Agreement on June 17, 2016, approved by City Resolution No. 2016-210; and

WHEREAS, the CITY and CONTRACTOR have agreed to extend the Original Agreement for one (1) additional one-year period, and to amend the Performance Bond language; and

WITNESSETH:

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments herein set forth CITY and CONTRACTOR agree as follows:

1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

2. The Original Agreement between CITY and CONTRACTOR, dated September 16, 2014, a copy of which is attached hereto and made a part hereof as Exhibit "A," shall remain in full force and effect except as specifically amended hereinbelow.

3. The parties hereto agree to extend the Original Agreement for one (1) additional one-year period, ending September 15, 2018.

4. Paragraph XX, Performance Bond, of the Original Agreement is hereby amended as follows:

XX. PERFORMANCE BOND.

...

B. The CONTRACTOR shall furnish to the CITY, prior to the commencement of operations hereunder, a Performance and Payment Bond shall be executed by the CONTRACTOR, and a surety company authorized to do business in the State of Florida, at a minimum in the amount of (Ten Million) \$10,000,000 up to (One Hundred Million) \$100,000,000 depending on the estimated amount of damage from event, which bond shall be conditioned upon the successful completion of all work, labor, services, and materials to be provided and furnished hereunder, and the payment of all subcontractors, materials and laborers. The CITY will only accept a Performance and Payment Bond with an A.M. Best rating of 'A-' (Excellent) or better. Said bond shall be subject to the approval by the City Manager and Commission of the City of Pompano Beach, Florida.

5. This Agreement shall bind the parties and their respective executors, administrators, successors and assign and shall be fully effective as though the reinstatement and amendment had been originally included in the Original Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

"CITY":

Witnesses:

CITY OF POMPANO BEACH

By: _____
LAMAR FISHER, MAYOR

By: _____
GREGORY P. HARRISON, CITY MANAGER

Attest:

ASCELETA HAMMOND, CITY CLERK

(SEAL)

Approved by:

MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2017 by **LAMAR FISHER** as Mayor, **GREGORY P. HARRISON** as City Manager, and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who is personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

"CONTRACTOR":

Witnesses:

ASHBRITT, INC., a Florida corporation



Ralph Dahlgren
Print Name

By: Brittany Perkins

JOHN NOBLE, C.O.O.
BRITTANY PERKINS, CEO



Print Name

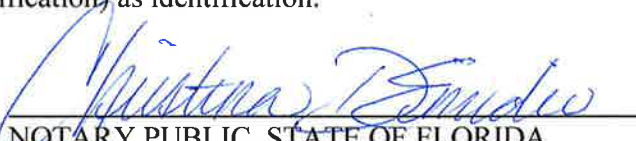
STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 10th day of July, 2017 by ~~JOHN NOBLE~~ as ~~C.O.O.~~ of AshBritt, Inc., a Florida corporation, on behalf of the corporation. BRITTANY PERKINS CEO ~~He~~ SHE is personally known to me or who has produced _____ (type of identification) as identification.

NOTARY'S SEAL:





NOTARY PUBLIC, STATE OF FLORIDA
CHRISTINA DEMIDIO

(Name of Acknowledger Typed, Printed or Stamped)
GG 042260

Commission Number

/jrm
6/28/17
L:agr/pw/2017-811