



Contract No.: RFP 17-P-029-DR
Board Approval: June 30, 2020

AMENDMENT 2
TO AGREEMENT BETWEEN
THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA
AND
WHARTON-SMITH, INC.
FOR
DESIGN BUILD SERVICES
RFP #17-P-029-DR

THIS AMENDMENT (hereinafter referred to as “Amendment”) to the agreement identified above (referred to as the “Agreement”) by and between **The School Board of Brevard County, Florida**, a body corporate existing under the laws of the State of Florida, with its principal place of business at 2700 Judge Fran Jamieson Way, Viera, Florida 32940 (hereinafter referred to as “SBBC”), and Wharton-Smith, Inc., whose business address is 750 Monroe Road, Sanford, Florida 32771, (hereinafter referred to as “Contractor”), is made as follows:

WITNESSETH

WHEREAS, pursuant to the terms of the Agreement, the parties may amend the Agreement upon mutual written consent; and

WHEREAS, Amendment 1 to the Agreement, approved October 9, 2018, extended the term of the Agreement through December 31, 2020; and

WHEREAS, SBBC and Contractor wish to further extend the Agreement to complete the scope of services defined by this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and provisions contained herein, the parties hereto agree as follows:

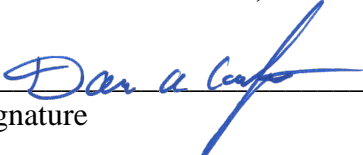
1. Delete previously modified Article 1, General Agreement Provisions, Paragraph 1.4, Contract Term in its entirety and replace it with the following:

1.4 Contract Term. It is the intention of the Owner to establish the contract term through December 31, 2021 or as may be extended to complete the Project. Either party may terminate this Agreement as provided in Article 15 of the General Conditions to the Contract for Design Build Services (**Exhibit A**).

2. The above recitals are true and correct and are hereby incorporated by reference.
3. Except as expressly modified herein, the terms and conditions of the Agreement remain unchanged. In the event of a conflict between the terms of this Amendment and those of the Agreement, SBBC and Contractor agree that the terms of this Amendment shall prevail and control.

IN WITNESS WHEREOF, the Parties have made and executed this Amendment on the day and year below written.

WHARTON-SMITH, INC.



Signature 06/12/20
Date

Darin A. Crafton, Executive Vice President
Name (Type or Print) & Title

THE SCHOOL BOARD OF BREVARD COUNTY, FLORIDA

By: _____
Mark W. Mullins, Ed.D., Superintendent Date

By: _____
Misty Belford, Chair Date