

**AMENDMENT 3 TO THE AGREEMENT BETWEEN
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
AND INDIAN RIVER COUNTY
FOR INDIAN RIVER COUNTY WEST WABASSO SEPTIC-TO-SEWER PHASE 3**

THIS AMENDMENT is entered into by and between the GOVERNING BOARD of the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (the “District”), whose mailing address is 4049 Reid Street, Palatka, Florida 32177-2571, and INDIAN RIVER COUNTY (“Recipient”), whose address is 1801 27th Street, Bldg. A, Vero Beach, Florida 32960 and is effective on the date the last party has executed same.

PREMISES:

The parties entered into Agreement No. 36526 on April 8, 2021, for Indian River County West Wabasso Septic-to-Sewer Phase 3 (“Agreement”) and amended the Agreement on November 21, 2022 (Amendment 1), and June 26, 2023 (Amendment 2). The parties desire to further amend the Agreement.

NOW, THEREFORE, in consideration of the above premises, which are hereby made a part of this amendment, the mutual covenants contained herein, and other good and valuable consideration, the parties hereby agree to amend the Agreement as follows:

1. TERM; WITHDRAWAL OF OFFER: delete and replace with the following:

The term of this Agreement is from April 8, 2021 (“Effective Date”) until January 31, 2025 (“Completion Date”). Recipient shall not commence the Project until any required submittals are received and approved. Time is of the essence for every aspect of this Agreement, including any time extensions. Any request for an extension of time beyond the Completion Date must be made before October 31, 2024. Notwithstanding specific mention that certain provisions survive termination or expiration of this Agreement, all provisions of this Agreement that by their nature extend beyond the Completion Date survive termination or expiration hereof (e.g., delivery of a final report, will remain in full force and effect after the Completion Date as necessary to effect performance).

- (a) This Agreement constitutes an offer until authorized, signed and returned to the District by Recipient. This offer terminates 90 days after receipt by Recipient; provided, however, that Recipient may submit a written request for extension of this time limit to the District’s Project Manager, stating the reason(s) therefor. Request for extension of time after the 90 days will be denied. The Project Manager shall notify Recipient in writing if an extension is granted or denied. If granted, this Agreement shall be deemed modified accordingly without any further action by the parties.

2. ATTACHMENT A — STATEMENT OF WORK, V. TASK IDENTIFICATION AND TIME FRAMES: delete and replace with the following:

The expiration date of this cost-share agreement is January 31, 2025. The projected schedule is as follows:

Task Description	Actual Start Date	Anticipated Completion Date
Construction	November 15, 2022	January 31, 2025

3. All other terms and conditions of the Agreement, including any prior amendments, are hereby ratified and continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have duly executed this amendment on the date set forth below.

ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT

INDIAN RIVER COUNTY

By: _____
Mary Ellen Winkler, J.D., Assistant Executive Director

By: _____

Typed Name and Title

Date: _____

Date: _____

Kendall Matott

Kendall Matott, J.M., SJRWMD QC Reviewer