

**MODIFICATION TO  
CONTRACT FOR CONSTRUCTION FOR FINAL LIFT OF ASPHALT**

CONTRACT NO. SD-04-07-31-FLA (95080082-72145)

**THIS MODIFICATION**, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2018, by and between **GHO Berkley Square Corp., a Florida corporation**, hereinafter referred to as "Developer", and **INDIAN RIVER COUNTY**, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as "County".

**WITNESSETH:**

**WHEREAS**, Developer entered into a Contract for Construction for Final Lift of Asphalt, Contract No. SD-04-07-31-FLA (95080082-72145) guaranteeing the installation of the final lift of asphalt the earlier of 2 years from the project's Certificate of Completion (January 28, 2016) or 60 days prior to turnover to homeowner association or prior to certificate of occupancy for the last residence in this phase of the subdivision; and the Developer posted cash in the amount of \$20,296.75 as security to guarantee completion and entered into a Cash Deposit and Escrow Agreement For Final Lift of Asphalt; and

**WHEREAS**, the developer has

1. requested an additional 2-year extension to January 28, 2020 to install the final lift of asphalt, as allowed by code;
2. provided an updated certified cost estimate attached as Exhibit "A" which amount has been approved by County engineering and did not change from the initial cost estimate; and
3. paid the required \$660.00 extension fee request to County.

**NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES HEREIN CONTAINED**, the parties agree as follows:

1. The date for completion of the final lift of asphalt as outlined in the Contract for Construction for Final Lift of Asphalt, Contract No. SD-04-07-31-FLA (95080082-72145) is extended to January 28, 2020.

2. The \$20,296.75 shall continue to be held in escrow for the guaranty for the final lift of asphalt and represents 125% of the cost of the final lift of asphalt to be completed as evidenced by developer's engineer's updated certified cost estimate as approved by County engineering, attached as Exhibit "A".

3. The extension fee in the amount of \$660.00 established by Resolution No. 2005-041 and pursuant to Section 913.10(1)(G) of the Indian River County Code has been paid.

4. All other terms set out in the Contract for Construction for Final Lift of Asphalt, Contract No. SD-04-07-31-FLA (95080082-72145) remain in full force and effect as well as the Cash Deposit and Escrow Agreement For Final Lift of Asphalt.

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

**GHO BERKLEY SQUARE CORP., a  
Florida corporation      DEVELOPER**

By: \_\_\_\_\_  
William Handler, President

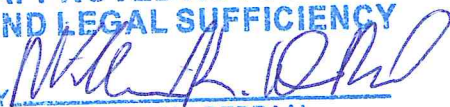
**INDIAN RIVER COUNTY, FLORIDA  
by and through its Board of County  
Commissioners**

ATTEST: Jeffrey R. Smith, Clerk  
of Court and Comptroller

By: \_\_\_\_\_  
Peter D. O'Bryan, Chairman

By: \_\_\_\_\_  
Deputy Clerk

BCC approved: \_\_\_\_\_

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**  
BY:   
**WILLIAM K. DEBRAAL  
DEPUTY COUNTY ATTORNEY**

**Schulke, Bittle & Stoddard, LLC**  
**Engineer's Site Construction Cost Estimate**

For: **GHO Berkley Square - Samuel Lane Cul-De-Sac**  
 11/19/2015

ITEM	UNIT	QUANTITY	SBS ESTIMATE	
			UNIT PRICE	TOTAL
<b>PAVING / GRADING / EARTHWORK</b>				
Mobilization	LS	1	\$ 500.00	\$ 500.00
5/8" Mill Asphalt Paving	SY	820	\$ 2.54	\$ 2,082.80
3/4" Asphalt Paving (overlay)	SY	820.0	\$ 9.03	\$ 7,404.60
8" Coquina and Additional Asphalt (repair / rework)	LS	1	\$ 5,000.00	\$ 5,000.00
			<b>Subtotal</b>	<b>\$ 14,987.40</b>

<b>PROFESSIONAL</b>				
Surveying (Reset PCP)	LS	1	\$ 250.00	\$ 250.00
Engineering (Testing)	LS	1	\$ 500.00	\$ 500.00
Engineering (Inspection & Certification)	LS	1	\$ 500.00	\$ 500.00
			<b>Subtotal</b>	<b>\$ 1,250.00</b>

	TOTAL
<b>Paving / Grading / Earthwork</b>	\$ 14,987.40
<b>Professional</b>	\$ 1,250.00
<b>TOTAL</b>	<b>\$ 16,237.40</b>
Guarantee Bond Amount (125%)	\$20,296.75

I hereby certify that the total amount of the Construction Cost Estimate prepared by Schulke, Bittle & Stoddard, LLC is sufficient to complete all required improvements for the GHO Berkley Square

Name: \_\_\_\_\_  
 License #: 47046  
 Signature: Joseph Schulke  
 Date: 2/7/18

*TMB*  
 2/2/18  
 For EXTENSION

