

**FIRST AMENDMENT TO
CONSTRUCTION AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this 4th day of February, 2020, by and between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
(hereinafter referred to as “Owner”),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

CB CONSTRUCTORS, INC.
(hereinafter referred to as “Contractor”),
having its principal place of business at
2251 Blount Road
Pompano Beach, FL 33069

WHEREAS, the Owner and Contractor entered into a Construction Agreement dated October 15, 2019 (hereafter “Agreement”) for SMART Program Renovations at Sea Castle Elementary School Project No. P.001632 (the “Project”); and

WHEREAS, the approved Agreement contained a scrivener’s error incorrectly indicating a construction duration for the Project of 365 calendar days; and

WHEREAS, Owner and Contractor acknowledge and agree that the correct construction duration is 330 calendar days; and

WHEREAS, Owner and Contractor acknowledge and agree that the Agreement is in full force and effect as revised by this First Amendment.

NOW THEREFORE, in exchange for the mutual covenants and promises set forth herein and other good and valuable consideration, the parties agree as follows:

1. **Recitals.** The recitals contained herein are true and correct and are incorporated herein by reference.
2. **Amended Provision.** Article 4.03.01 is hereby amended to indicate a construction duration of 330 calendar days.
3. **Other Provisions Remain in Force.** Except as expressly provided herein, all other portions of the Agreement remain in full force and effect.

4. **Order of Precedence among Agreement Documents.** In the event of conflict between the provisions of the Agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- a) this First Amendment to Agreement; then
- b) the Agreement.

5. **Authority:** Each person signing this First Amendment on behalf of either party warrants that he or she has full legal power to execute this First Amendment on behalf of the party for whom he or she is signing it to bind and obligate such party with respect to all provisions contained in this First Amendment.

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment to Agreement on the day and year first above written.

Owner

(Seal)


THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Donna P. Korn, Chair

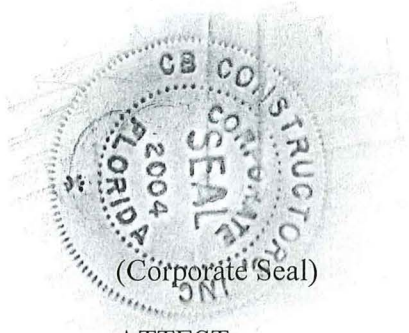
Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:



Office of the General Counsel

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(Corporate Seal)

ATTEST:

_____, Secretary

Contractor

CB CONSTRUCTORS, INC.

By [Signature]
Michael C. Taylor, President

-or-

[Signature]
Witness

[Signature]
Witness

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged by for me this 18th day of December, 2019, by Michael C. Taylor of CB Constructors, Inc. on behalf of the corporation or agency, who is personally known to me and did/did not first take an oath.

My commission expires:



Heather Winkler
Commission # GG 19267
Expires: March 6, 2022
Bonded thru Aaron Notary

[Signature]
Signature – Notary Public

Heather Winkler
Printed Name of Notary

(SEAL)