



20 N. Swinton Avenue  
Delray Beach, FL 33444

Agenda Item # **8H**  
July 27, 2017

~ **CRA BOARD SUMMARY** ~  
**THIRD AMENDMENT TO THE WORK ASSIGNMENT - SONG + ASSOCIATES, INC.**  
**CRA OFFICE EXPANSION**

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At the June 23, 2015 CRA Board meeting, the Board approved the Work Assignment (WA) between the CRA and Song + Associates, Inc., one of the CRA's Consultants/Architect on a Continuing Contract Basis for the CRA Office Expansion. The scope of work primarily consists of the building addition with minor interior and exterior improvements to the historically contributing building. The services included the statement of probable cost, project specifications, bidding assistance, construction administration and final certification.

On September 11, 2015, the CRA issued a Stop Work Order due to reallocation of CRA funding for the project to other Board and City Commission priorities. On November 3, 2016, the CRA and Consultant entered into the First Amendment to the WA to rescind the Stop Work Order, and establish a time for completion of the Consultant's services.

On April 12, 2017, the CRA and Consultant entered into the Second Amendment to the WA to provide for an extension of time up to and including June 12, 2017, due to circumstances outside of the Consultant's control.

The project is currently going through the site plan application/approval process (Class IV Site Plan Modification and Certificate of Appropriateness). At its meeting of July 19, 2017, the Historical Preservation Board (HPB) approved the site plan modification.

Based on the approval from the HPB, the design will move to the next phase which is to complete the construction documents and permit/bid set, and to advertise the project for construction. In order to complete the work as described in the Work Assignment, an extension of time to said WA is required. It is recommended that the time be extended an additional 12 months.

The Third Amendment to the WA being presented for the Board's consideration, provides for an extension of time up to and including July 27, 2018, for the completion of the Scope of Services.

**Recommended Action:**

Approve the Third Amendment to the Work Assignment to provide for an extension of time up to and including July 27, 2018, for the completion of the Scope of Services as described in the Work Assignment associated with the CRA Office Expansion project.

**Submitted By:** Kevin Matthews, Project Manager

Attachments: Third Amendment to the Work Assignment between the CRA and Song + Associates, Inc.

*Handwritten initials*

**THIRD AMENDMENT TO THE WORK ASSIGNMENT  
BETWEEN THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY  
AND  
SONG + ASSOCIATES, INC.**

THIS THIRD AMENDMENT TO THE WORK ASSIGNMENT ("Amendment") is made and entered into as of the \_\_\_ day of \_\_\_\_\_, 2017, *nunc pro tunc*, June 12, 2017, by and between the DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY, a public agency created pursuant to Section 163, Part III, Florida Statutes, (hereinafter referred to as the "CRA"), and SONG + ASSOCIATES, INC. (hereinafter referred to as "Consultant").

**WITNESSETH:**

**WHEREAS**, the CRA and the Consultant previously entered into an Agreement for Professional Contracting Services dated June 12, 2014, the "Original Agreement"; and

**WHEREAS**, the CRA and the Consultant entered into a Work Assignment on June 30, 2015, to provide for the Consultant to provide professional architectural services related to the interior and exterior renovations of the CRA offices located at 20 N. Swinton Avenue, Delray Beach, Florida (the "Work Assignment"); and

**WHEREAS**, on November 3, 2016, the CRA and Consultant entered into the First Amendment to the Work Assignment to rescind a Stop Work Order issued on September 11, 2015, establish a time for completion of the Consultant's services as described in the Work Assignment, and to confirm the budget for the services to be provided by the Consultant; and

**WHEREAS**, on April 12, 2017, the CRA and Consultant entered into the Second Amendment to the Work Assignment to provide for an extension of time up to and including June 12, 2017; and

**WHEREAS**, the CRA and Consultant desire to enter into this Third Amendment to the Work Assignment to provide for an extension of time up to and including July 27, 2018, for the completion of the Scope of Services due to circumstances outside of the Consultant's control.

**NOW THEREFORE**, in consideration of the promises, mutual covenants, provisions and undertakings hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That the recitals set forth above are true and correct and are incorporated herein by reference.

2. That the CRA and the Consultant agree to amend the Work Assignment *nunc pro tunc*, June 12, 2017, to provide for an extension of time up to and including July 27, 2018, for completing the Scope of Services described Work Assignment. Any further extension of time beyond July 27, 2018 shall require the approval of the CRA Board of Commissioners.

3. That except as amended herein, the CRA and Consultant ratify, approve, and reaffirm the terms of the Original Agreement, and the Original Agreement, as amended by the First Amendment and Second Amendment, shall remain in full force and effect, except as amended herein.

4. In the event of any conflict or ambiguity by and between the terms and provisions of this Third Amendment, the Original Agreement, the First Amendment, and the Second Amendment, the terms and provisions of this Third Amendment shall control to the extent of any such conflict or ambiguity.

**IN WITNESS WHEREOF**, the parties have executed this Third Amendment to Agreement on the date first written above.

DELRAY BEACH COMMUNITY  
REDEVELOPMENT AGENCY

BY: \_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_

CONSULTANT:  
SONG + ASSOCIATES, INC.

BY: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Print Name and Title

Attest:

\_\_\_\_\_  
Secretary

(CORPORATE SEAL)

STATE OF FLORIDA        )  
  )  
COUNTY OF PALM BEACH    )

SS:

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_ named in the foregoing agreement and that he/she acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him/her by said \_\_\_\_\_ and that the Corporate seal affixed thereto is the true corporate seal of said Corporation.

Witness my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
Printed Name

My Commission Expires: