

FOURTH AMENDMENT
TO AGREEMENT BETWEEN THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
AND
TOWN OF BELLEAIR
FOR
PINELLAS ROAD STORMWATER BMPS (N688)

This FOURTH AMENDMENT effective December 31, 2020, by both parties, by and between the SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT, a public corporation of the State of Florida having an address of 2379 Broad Street, Brooksville, Florida 34604-6899, hereinafter referred to as the "DISTRICT," and the TOWN OF BELLEAIR, a municipal corporation of the State of Florida, having an address of 901 Ponce de Leon Boulevard, Belleair, Florida 33756 hereinafter referred to as the "COOPERATOR."

WITNESSETH:

WHEREAS, the DISTRICT and the COOPERATOR entered into an agreement effective October 1, 2015, as amended June 28, 2017, March 1, 2018 and December 11, 2019, (Agreement No. 16CF0000219) that expired on December 31, 2020, hereinafter referred to as the "Existing Agreement," for the design, permitting, and construction of stormwater Best Management Practices (BMPs) implementations to reduce pollutant loads to Clearwater Harbor South; and

WHEREAS, the parties hereto wish to amend the Existing Agreement to replace the DISTRICT'S Contract Manager, extend the contract period, update the project location and update contract language applicable to the DISTRICT'S cooperatively funded projects.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties hereby mutually agree to amend the Existing Agreement as follows:

1. Except as otherwise provided herein, the terms, covenants and conditions of the Existing Agreement are incorporated herein by reference, are hereby ratified, approved and confirmed, and are binding upon the parties.
2. The Project Contacts and Notices Paragraph is hereby amended to replace the DISTRICT'S Contract Manager with Robert McDonald.
3. The Contract Period Paragraph is hereby amended to extend the expiration date of December 31, 2020 to December 31, 2021.
4. The Project location is hereby amended to replace Boca Ciega Bay with Clearwater Harbor South.
5. New Paragraph 29, Documentation Submittal Deadline, is hereby added as follows:

The COOPERATOR shall provide the DISTRICT with all documentation it wishes the DISTRICT to consider when determining whether expenses paid by the COOPERATOR are reasonable and allowable under this Agreement, no later than September 15, 2021. The DISTRICT shall not consider any documentation submitted after September 15, 2021.

6. The terms, covenants and conditions set forth in the Existing Agreement that have not been specifically amended herein, will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this FOURTH AMENDMENT on the day and year set forth next to their signatures below.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Randy Smith, PMP Date
Bureau Chief, Natural Systems and Restoration

TOWN OF BELLEAIR

By: _____ Date
Name: _____
Title: _____
Authorized Signatory