CITY OF FORT LAUDERDALE
RETROACTIVE CONSTRUCTION AGREEMENT FOR RIVER OAKS STORMAWATER IMPROVEMENTS PROJECT

THIS RETROACTIVE CONSTRUCTION AGREEMENT FOR THE RIVER OAKS STORMWATER IMPROVEMENTS PROJECT ("Agreement") made and entered into this _____ day of September 2025, by and between the City of Fort Lauderdale, a Florida municipal corporation ("City") and Ric-Man Construction Florida, Inc., a Florida corporation ("Contractor") ("Party" or collectively "Parties").

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida ("City Commission") at its meeting of September 9, 2021, authorized the proper officials by motion to execute an Agreement between Contractor and City authorizing the performance of services in connection with the Construction of River Oaks Stormwater Improvements Project amount not to exceed $25,043,981.79 (ITB 12505-613 Project 11868) ("Original Agreement"); and

WHEREAS, due to being unable to forecast the timeline for the implementation of a wetlands mitigation plan, the Agreement expired on February 23, 2025; and

WHEREAS, the City and Contractor are desirous of completing the Project;

NOW, THEREFORE, the Parties hereto, in consideration of the mutual covenants, agreements, terms, and conditions contained herein, do agree as to the following:

1.1   The recitations set forth above are true and correct and are incorporated herein. Initial capitalized terms or other such terms used herein shall have the same meaning given such terms in the Original Agreement, unless otherwise defined herein or unless the context otherwise indicates.

1.2   The Original Agreement and all terms and conditions of the Original Agreement except as modified herein, are incorporated into and made part of this agreement and are attached hereto as Exhibit A.

1.3   This Agreement will be retroactive to February 23, 2025.

1.4   The Contract Time as defined in the Original Agreement shall be understood to also include the period from the termination of the Original Agreement to the time of execution of this Agreement.

1.5   Section 5.3 of the Original Agreement is hereby deleted and replaced with: "The Work shall be finally completed on the Final Completion Date within 311 Calendar Days after the date of February 23, 2025, which is December 31, 2025."

1.6   The City's Project Manager is Juan Carlos Samuel, whose address is 101 NE 3rd Avenue, Suite 1410, Fort Lauderdale, FL 33301, telephone number 954-828-6323 and email address is jsamuel@fortlauderdale.gov.

1.7   Anti-Human Trafficking

As a condition precedent to the effectiveness of this Agreement, the Contractor shall provide the City with an affidavit signed by an officer or a representative of the Contractor under penalty of perjury attesting that the Contractor does not use coercion for labor or services as defined in Section 787.06, Florida Statutes (2024), as may be amended or revised.

[REMAINING SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS OF THE FOREGOING, the Parties have set their hands and seals the day and year first written above.

CITY

CITY OF FORT LAUDERDALE, a Florida municipal corporation

By: _____
    RICKELLE WILLIAMS
    City Manager

Date: _____

ATTEST:

By: _____
    DAVID R. SOLOMAN
    City Clerk

Approved as to Legal Form and Correctness:
D'WAYNE M. SPENCE, Interim City Attorney

By: _____
    RHONDA MONTOYA HASAN
    Senior Assistant City Attorney

CONTRACTOR

WITNESSES:

RIC-MAN CONSTRUCTION FLORIDA INC.,
a Florida corporation

By _____

MICHAEL R. FISCHER
Executive Vice President

RAFAEL VEGA

Print Name

ATTEST:

Daniel J. La Cross

Print Name

By: _____Catalina Mancini_____

Secretary CATALINA MANCINI

(CORPORATE SEAL)

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 9th day of July, 2025, by Michael R. Fischer, Executive Vice President of Ric-Man Construction Florida, Inc, a Florida corporation.

JULIETTE D'ALESSANDRO
Notary Public-State of Florida
Commission # HH 508455
My Commission Expires
January 31, 2028

(Signature of Notary Public - State of Florida)

Juliette D'Alessandro
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ✓ OR Produced Identification_____
Type of Identification Produced: _____