

## **CITY OF FORT LAUDERDALE CONSTRUCTION AGREEMENT**

THIS Agreement made and entered into this \_\_\_\_ day of August, 2024, by and between the City of Fort Lauderdale, a Florida municipal corporation ("City") and Ferreira Construction Southern Division Co. Inc., a Florida corporation ("Contractor") ("Party" or collectively "Parties")

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida at its meeting of December 21, 2021, authorized the proper officials by motion to execute an Agreement between Contractor and City authorizing the performance of services in connection with the Las Olas Isles Undergrounding of Overhead Utilities Project in an amount not to exceed \$4,733,400 (ITB 12453-613 Project 11715) ("Original Agreement"); and

WHEREAS, due to miscalculations and omissions in the original Project scope and due to delays in coordination and materials delivery, the Agreement expired on April 18, 2024; 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 April 18, 2024.

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

1.5 Section 5.2 of the Original Agreement is hereby deleted and replaced with: "The Work shall be Substantially Completed within 861 calendar days after the date of the Notice to Proceed is issued, which is July 29, 2024."

1.6 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 924 Calendar Days

after the date when the Contract Time commences to run as provided in the Notice to Proceed. The date of Final Completion is September 30, 2024.”

1.7 The City’s Project Manager is Gary Foster, whose address is 101 NE 3rd Avenue, Suite 2100, Fort Lauderdale, FL 33301, telephone number 954-828-6233 and email address is [gfooster@fortlauderdale.gov](mailto:gfooster@fortlauderdale.gov).

**[ 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

By: \_\_\_\_\_  
SUSAN GRANT  
Acting City Manager

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
DAVID R. SOLOMAN  
City Clerk

Approved as to Legal Form:  
THOMAS J. ANSBRO, City Attorney

By: \_\_\_\_\_  
RHONDA MONTOYA HASAN  
Senior Assistant City Attorney

**CONTRACTOR**

WITNESSES:

FERREIRA CONSTRUCTION SOUTHERN  
DIVISION CO. INC., a Florida corporation

\_\_\_\_\_

By: \_\_\_\_\_  
Nelson Ferreira, President

\_\_\_\_\_  
Print  
Name

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Print Name

By: \_\_\_\_\_  
Secretary

(CORPORATE SEAL)

STATE OF \_\_\_\_\_:

COUNTY OF \_\_\_\_\_:

The foregoing instrument was acknowledged before me by means of ☐ physical presence  
or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Nelson  
Ferreira, as President for Ferreira Construction Southern Division Co. Inc., a Florida  
corporation.

\_\_\_\_\_  
(Signature of Notary Public - State of Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name  
of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_