



**FIRST AMENDMENT TO AGREEMENT FOR SHIP/HOME/CDBG HOUSING REHABILITATION BETWEEN THE CITY OF OCALA, THE HOMEOWNER, AND THE CITY SELECTED CONTRACTOR**

THIS FIRST AMENDMENT TO AGREEMENT FOR SHIP/HOME/CDBG HOUSING REHABILITATION BETWEEN THE CITY OF OCALA, THE HOMEOWNER, AND THE CITY SELECTED CONTRACTOR ("First Amendment") is entered into by and between the CITY OF OCALA, a Florida municipal corporation ("City"), acting as agent for SHIRLEY KIRBY PINKNEY ("Owner"), and BRUCE WAYNE WILEY, LLC, a Florida Limited Liability Company (EIN# 47-1267940), located at 2107 NE 9<sup>th</sup> Street, Ocala, Florida 34470, ("Contractor").

**WHEREAS**, on December 14, 2021, City, Owner, and Contractor entered into an Agreement for SHIP/HOME/CDBG Housing Rehabilitation (the "Original Agreement"), City of Ocala Contract No.: CDS/210839; and

**WHEREAS**, City, Owner, and Contractor now desire to amend the Original Agreement to reflect an increase in the Contract Price necessitated by the Work Change Directive attached hereto as **Exhibit A – Work Change Directive**.

**NOW THEREFORE**, in consideration of each of the foregoing recitals and the following mutual covenants, conditions and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, City, Owner and Contractor agree as follows:

1. **RECITALS.** City and Vendor hereby represent and warrant that the Recitals set forth above are true and correct.
2. **INCORPORATION OF ORIGINAL AGREEMENT.** The Original Agreement between City, Owner, and Contractor is hereby incorporated by reference as if set forth herein in its entirety and remains in full force and effect, except for those terms and conditions expressly amended by this First Amendment.
3. **AMENDMENT TO PARAGRAPH 2 – CONTRACT PRICE.** The language contained in Paragraph 2 – Contract Price of the Original Agreement is hereby deleted and replaced, in its entirety, with the following:

**CONTRACT PRICE.** City shall pay Contractor, on behalf of the Owner, for the performance of the work, and in accordance with the contract documents, a Total Price in the amount of \$83,124.45 (EIGHTY-THREE THOUSAND, ONE HUNDRED TWENTY-FOUR DOLLARS AND 45/100). It is understood the amounts to be paid will be for satisfactory work actually completed rather than the estimated prices. Payments are to be made, at the unit price and/or lump sums specified for the various items in the Contractor's proposal as provided in the specifications.



A. The modified Contract Price represents the sum of the original bid price of **\$77,912.45** and the total cost of **Change Order #1** as set forth in **Exhibit A – Work Change Directive**.

4. **NOTICES.** All notices, certifications or communications required by this First Amendment shall be given in writing and shall be deemed delivered when personally served, or when received if by facsimile transmission with a confirming copy mailed by registered or certified mail, postage prepaid, return receipt requested. Notices can be concurrently delivered by email. All notices shall be addressed to the respective parties as follows:

**If to Vendor:**

Bruce Wayne Wiley  
Bruce Wayne Wiley, LLC  
2107 NE 9<sup>th</sup> Street  
Ocala, FL 34470  
E-Mail: [Brucewiley58@gmail.com](mailto:Brucewiley58@gmail.com)  
PH: 352-299-6929

**If to City:**

Tiffany L. Kimball, Director of Contracts  
City of Ocala, City Hall  
110 SE Watula Avenue  
Ocala, FL 34471  
E-Mail: [tkimball@ocalafl.org](mailto:tkimball@ocalafl.org)  
PH: 352-629-8366 FAX: 352-690-2025

with copy to:

Robert W. Batsel, Jr., Esq.  
Gooding & Batsel, PLLC  
1531 SE 36<sup>th</sup> Avenue  
Ocala, FL 34471  
E-Mail: [rbatsel@lawyersocala.com](mailto:rbatsel@lawyersocala.com)  
PH: 352-579-6536

5. **COUNTERPARTS.** This First Amendment may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.
6. **ELECTRONIC SIGNATURE(S).** Vendor, if and by offering an electronic signature in any form whatsoever, will accept and agree to be bound by said electronic signature to all terms and conditions of this First Amendment. Further, a duplicate or copy of the First Amendment that contains a duplicated or non-original signature will be treated the same as an original, signed copy of this original First Amendment for all purposes.



CONTRACT #: CDS/210839

7. **LEGAL AUTHORITY.** Each person signing this First Amendment on behalf of either party individually 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, and to bind and obligate such party with respect to all provisions contained in this First Amendment.

**IN WITNESS WHEREOF**, the parties have executed this Agreement on the dates set forth below.

**ATTEST:**

**CITY OF OCALA**

*Angel B. Jacobs*

*Sandra Wilson*

Angel B. Jacobs  
City Clerk

Sandra Wilson  
City Manager

Date: 03 / 21 / 2022

**Reviewed and Approved by Community  
Development Services Department:**

**CONTRACTOR  
BRUCE WAYNE WILEY, LLC**

*James Haynes*

*Bruce Wiley*

James Haynes, Director  
Community Development Services

(Authorized Signatory)

Bruce Wayne Wiley

By:

(Printed Name of Signatory)

*Burnadine Rich*

Burnadine Rich, Manager  
Community Development Services

Title: Manager

(Title of Authorized Signatory)

**Approved as to form and legality:**

Date: 03 / 21 / 2022

*Robert W. Batsel, Jr.*

Robert W. Batsel, Jr.  
City Attorney



CONTRACT #: CDS/210839

**Witnesses for Property/Homeowner**

**PROPERTY/HOMEOWNER**

**Signature:**

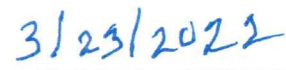
  
(Signature of First Witness)

  
(Signature of Property/Home Owner)

  
(Printed Name of First Witness)

  
(Printed Name of Home Owner)

  
(Signature of Second Witness)

Date: 

  
(Printed Name of Second Witness)



EXHIBIT A

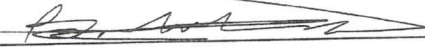
Work Change Directive

PO#: RFQ# CDS/210839

DATE: 2/1/2022

PROJECT NAME: SHIRLEY PINKNEY

PROJECT ADDRESS: 1328 NW 12TH AVENUE OCALA, FL 34475-5414

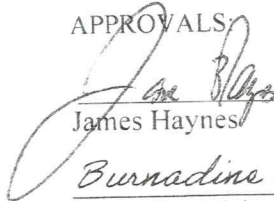
CONTRACTOR SIGNATURE: 

The following change(s) have been requested:

|  |
|--|
| Roof 46 sheet damaged decking credit of sheets additional sheets       |
| 26 X 118.00 total of \$3,068.00  |
| Replaced 268 linear feet of damaged rafters and fascia @ \$8.00 a foot |
| total cost of \$2,144.00   |
| Total cost \$ 5,212.00   |

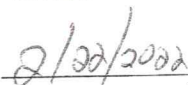
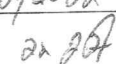
✓ Contractor's Estimate Attached

APPROVALS:

  
James Haynes

  
Burnadine Rich

  
Christopher Lewis

DATE:  
  
  
~~2/10/2021~~

2/3/2022

Estimated increase/decrease in Contract Price

Current Contract Price: \$ 77,912.45

Request No.: (1) \$ 5,212.00

New Proposed Price: \$ 83,124.45

Estimated increase/decrease in Contract Times

Completion: \_\_\_\_\_ days.

If the change involves an increase, the estimated amount is not to be exceeded without further authorization

If the change involves an increase, the estimated times are not to be exceeded without further authorization

COMMENTS: \_\_\_\_\_

**NOTE: PLEASE E-MAIL COMPLETED FORM TO CLEWIS@OCALAFL.ORG  
IF YOU HAVE ANY QUESTIONS PLEASE CALL CHRIS LEWIS (352) 629-8333**

S:\COO\_ACM\_DS\_Development\_and\_Planning\Grant Programs\CDBG\Master Documents\Contract for Housing Rehab\Contractor packet

**CONTRACT #: CDS/210839**

BRUCE WAYNE WILEY LLC  
1751 NE 11<sup>TH</sup> STREET  
OCALA, FL 34470  
Tel 352-299-6929  
CBC LIC #1260330

**Estimate****1.31.2022****BILL TO**

CITY OF OCALA  
110 SE WATULLA AVE  
OCALA, FL 34471

**SHIP TO**

Same as recipient

**INSTRUCTIONS**

SHIRLEY PINKEY  
1328 NW 12<sup>TH</sup> AVENUE  
OCALA, FL 34470

**QUANTITY****DESCRIPTION****UNIT PRICE****TOTAL**

COMPLETED AS OF JANUARY 28, 2022  
REQUEST CHANGE ORDER

ROOF 46 SHEET DAMAGED DECKING  
CREDIT OF 20 SHEETS ADDITIONAL  
SHEETS 26 X \$118.00 IS \$3,068.00

3,068.00

REPLACED 268 LINEAR FEET OF DAMAGED  
RAFTERS AND FASCIA @ \$8.00 A FOOT  
TOTAL COST OF \$2,144.00

2,144.00

**SUBTOTAL** \$5,212.00

**TOTAL CHANGE ORDER** \$5,212.00

**TOTAL** \$5,212.00

Thank you for your business!

*Christopher A. Lewis*

ok to pay 2/3/2022

|                         |  |
|-------------------------|--|
| TITLE                   | FOR SIGNATURES - First Amendment - CDBG Rehab Agreement -... |
| FILE NAME               | FOR SIGNATURES - ...y Kirby Pinke.pdf                        |
| DOCUMENT ID             | 88e514fb3d697e81c199922cf8b62c28c253cb2e                     |
| AUDIT TRAIL DATE FORMAT | MM / DD / YYYY   |
| STATUS                  | ● Signed   |

## Document History



SENT

**03 / 16 / 2022**

12:34:44 UTC-4

Sent for signature to Robert Batsel, Jr.  
(rbatsel@lawyersocala.com), Burnadine Rich  
(brich@ocalafl.org), James Haynes (jhaynes@ocalafl.org),  
Sandra Wilson (swilson@ocalafl.org), Angel B. Jacobs  
(ajacobs@ocalafl.org) and Bruce Wayne Wiley  
(brucewiley58@gmail.com) from drobinson@ocalafl.org  
IP: 216.255.240.104



VIEWED

**03 / 21 / 2022**

13:49:48 UTC-4

Viewed by Robert Batsel, Jr. (rbatsel@lawyersocala.com)  
IP: 216.255.247.55



SIGNED

**03 / 21 / 2022**

13:51:11 UTC-4

Signed by Robert Batsel, Jr. (rbatsel@lawyersocala.com)  
IP: 216.255.247.55



VIEWED

**03 / 21 / 2022**

13:52:05 UTC-4

Viewed by Burnadine Rich (brich@ocalafl.org)  
IP: 216.255.240.104

|                                |   |
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| <b>STATUS</b>                  | ● Signed  |

## Document History



**03 / 21 / 2022**  
13:52:42 UTC-4

Signed by Burnadine Rich (brich@ocalafl.org)  
IP: 216.255.240.104



**03 / 21 / 2022**  
13:54:24 UTC-4

Viewed by James Haynes (jhaynes@ocalafl.org)  
IP: 216.255.240.104



**03 / 21 / 2022**  
13:55:12 UTC-4

Signed by James Haynes (jhaynes@ocalafl.org)  
IP: 216.255.240.104



**03 / 21 / 2022**  
13:55:46 UTC-4

Viewed by Sandra Wilson (swilson@ocalafl.org)  
IP: 40.94.28.160



**03 / 21 / 2022**  
15:04:45 UTC-4

Signed by Sandra Wilson (swilson@ocalafl.org)  
IP: 216.255.240.104



**03 / 21 / 2022**  
16:56:10 UTC-4

Viewed by Angel B. Jacobs (ajacobs@ocalafl.org)  
IP: 216.255.240.104



|                                |  |
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| <b>STATUS</b>                  | ● Signed   |

## Document History

**03 / 21 / 2022**  
16:56:59 UTC-4Signed by Angel B. Jacobs (ajacobs@ocalafl.org)  
IP: 216.255.240.104**03 / 21 / 2022**  
18:53:49 UTC-4Viewed by Bruce Wayne Wiley (brucewiley58@gmail.com)  
IP: 174.212.0.209**03 / 21 / 2022**  
18:57:33 UTC-4Signed by Bruce Wayne Wiley (brucewiley58@gmail.com)  
IP: 174.212.0.209**03 / 21 / 2022**  
18:57:33 UTC-4

The document has been completed.