



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

THIS FOURTH AMENDMENT TO AGREEMENT FOR SHIP/HOME/CDBG HOUSING REHABILITATION BETWEEN THE CITY OF OCALA, THE HOMEOWNER, AND THE CITY SELECTED CONTRACTOR ("Fourth Amendment") is entered into by and between the **CITY OF OCALA**, a Florida municipal corporation ("City"), acting as agent for **ARETHA P. MORAND** ("Owner"), and **R & R BUILDERS, LLC**, a Florida registered Limited Liability Company (EIN# 20-1321261) ("Contractor").

WHEREAS, on August 1, 2022, City, Owner, and Contractor entered into an Agreement for SHIP/HOME/CDBG Housing Rehabilitation (the "Original Agreement"), City of Ocala Contract No.: CDS/220396, for rehabilitation work on a residential home located at 2320 NW 9th Street, Ocala, Florida 34475; and

WHEREAS, on November 15, 2022, City, Owner, and Contractor entered into a First Amendment to Agreement for SHIP/HOME/CDBG Housing Rehabilitation (the "First Amendment") to reflect an increase in the Contract Price necessitated by a Work Change Directive issued October 13, 2022; and

WHEREAS, on December 19, 2022, City, Owner, and Contractor entered into a Second Amendment to Agreement for SHIP/HOME/CDBG Housing Rehabilitation (the "Second Amendment") to extend the time for performance necessitated by a Work Change Directive issued November 17, 2022; and

WHEREAS, on February 6, 2023, City, Owner, and Contractor entered into a Third Amendment to Agreement for SHIP/HOME/CDBG Housing Rehabilitation (the "Third Amendment") to reflect an increase in the Contract Price and extend the time for performance necessitated by a Work Change Directive issued December 28, 2022; and

WHEREAS, City, Owner, and Contractor now desire to amend the Original Agreement to reflect an increase in the Contract Price necessitated by a Work Change Directive issued January 20, 2023 and 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 Contractor 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 Fourth Amendment.
3. **AMENDMENT TO PARAGRAPH 5 – COMPENSATION.** The language contained in Paragraph 5 – Compensation of the Original Agreement is hereby deleted and replaced with the following (all remaining sections of Paragraph 5 – Compensation remain in effect):
- COMPENSATION.** 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 SEVENTY-FIVE THOUSAND, TWENTY-FIVE AND NO/100 (\$75,025). It is understood the amounts to be paid will be for satisfactory work 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 \$67,175, and the total cost of Change Order #1, the total cost of Change Order #2, the total cost of Change Order #3, and the total cost of Change Order #4 as set forth in **Exhibit A – Work Change Directive**.
4. **NOTICES.** All notices, certifications or communications required by this Fourth 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 Contractor:

R & R Builders, LLC
Attention: James Ravenscraft
1 Pecan Run Harbor
Ocala, FL 34472
E-Mail: jravenscraft@comcast.net
PH: 352-680-0231



If to City:

Daphne Robinson, Esq., Contracting Officer
City of Ocala
110 SE Watula Avenue, Third Floor
Ocala, FL 34471
E-Mail: notices@ocalafl.org
PH: 352-629-8343

with copy to:

William E. Sexton, Esq., City Attorney
City of Ocala
110 SE Watula Avenue, Third Floor
Ocala, FL 34471
E-Mail: cityattorney@ocalafl.org
PH: 352-401-3972

5. **COUNTERPARTS.** This Fourth 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).** Contractor, 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 Fourth Amendment. Further, a duplicate or copy of the Fourth Amendment that contains a duplicated or non-original signature will be treated the same as an original, signed copy of this original Fourth Amendment for all purposes.
7. **LEGAL AUTHORITY.** Each person signing this Fourth Amendment on behalf of either party individually warrants that he or she has full legal power to execute this Fourth 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 Fourth Amendment.

[REMAINDER OF PAGE INTENTIONALLY BLANK. SIGNATURE PAGE TO FOLLOW.]



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

ATTEST:

CITY OF OCALA

Angel B. Jacobs

Peter A. Lee

Angel B. Jacobs
City Clerk

Peter Lee
City Manager

Date: 02 / 14 / 2023

Reviewed and Approved by Community
Development Services Department:

R & R BUILDERS, LLC

James Haynes

[Signature]

James Haynes, Director
Community Development Services

(Authorized Signatory)

By: R R Builders, LLC

(Printed Name of Signatory)

Approved as to form and legality:

William E. Sexton

Title: President

(Title of Authorized Signatory)

William E. Sexton
City Attorney

Date: 02 / 14 / 2023



CONTRACT #: CDS/220396

Witnesses for Property/Homeowner

Signature:

(Signature of First Witness)

(Printed Name of First Witness)

(Signature of Second Witness)

(Printed Name of Second Witness)

PROPERTY/HOMEOWNER

(Signature of Property/Homeowner)

(Printed Name of Homeowner)

Date: 2-16-23

EXHIBIT A

Work Change Directive

PO#: CDS/220396 DATE: 1-20-2023
PROJECT NAME: Autha Morand
PROJECT ADDRESS: 2320 NW 9th Street Ocala FL
CONTRACTOR SIGNATURE: Rita Ramonera

The following change(s) have been requested:

Provide + install 2 Crab Cans
in Second Bathroom and Hook up
Crab Stove

✓ Contractor's Estimate Attached

APPROVALS:

James Haynes
James Haynes

DATE:

1/24/2023

1

Christopher Lewis

Christopher Lewis

01/23/2023

Estimated increase/decrease in Contract Price

Current Contract Price: \$ 74,675.00

Request No.: (B) \$ 350.00

New Proposed Price: \$ 75,025.00

Estimated increase/decrease in Contract Times

Completion: N/A 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

Title	FOR SIGNATURES - Fourth Amendment to Agreement for CDBG...
File name	FOR SIGNATURES - ... (CDS 220396).pdf
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02 / 07 / 2023
07:47:22 UTC-5

Sent for signature to James Haynes (jhaynes@ocalafl.org), William E. Sexton (wsexton@ocalafl.org), R R Builders, LLC (jravenscraft@comcast.net), Peter Lee (plee@ocalafl.org) and Angel Jacobs (ajacobs@ocalafl.org) from biverson@ocalafl.org
IP: 216.255.240.104



02 / 08 / 2023
18:17:14 UTC-5

Viewed by James Haynes (jhaynes@ocalafl.org)
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02 / 08 / 2023
18:17:29 UTC-5

Signed by James Haynes (jhaynes@ocalafl.org)
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02 / 14 / 2023
16:26:38 UTC-5

Viewed by William E. Sexton (wsexton@ocalafl.org)
IP: 216.255.240.104



02 / 14 / 2023
16:27:00 UTC-5

Signed by William E. Sexton (wsexton@ocalafl.org)
IP: 216.255.240.104

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