

**SIXTH AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND CUMMINGS-BALFOUR BEATTY, A JOINT VENTURE, FOR CONSTRUCTION MANAGER AT RISK SERVICES TERMINAL 4 GATE REPLACEMENT — WESTERN EXPANSION AT THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT IN BROWARD COUNTY, FLORIDA (RLI NO. R0787918R1)**

This is the Sixth Amendment (“Sixth Amendment”) to an agreement made and entered into by and between Broward County, a political subdivision of the State of Florida (“County”), and Cummings-Balfour Beatty, a joint venture (“Contractor”).

**RECITALS**

A. County and Contractor (which may collectively be referred to as the “Parties”) entered into an agreement effective September 28, 2010 (including the five prior amendments, the “Agreement”) for Construction Manager at Risk Services Terminal 4 Gate Replacement — Western Expansion at the Fort Lauderdale-Hollywood International Airport in Broward County, Florida, with a deliberately phased approach.

B. Since September 28, 2010, the Agreement has been amended five times to add scope, time, and funding.

C. The Parties desire to enter into this Sixth Amendment to increase the amount of County’s Federal Inspection Services (FIS) Contingency Contract Price element by Five Million and 00/100 dollars (\$5,000,000.00).

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments set forth below, County and Contractor agree as follows:

1. The above recitals are true and correct and are incorporated by reference.
2. The FIS Contingency Contract Price element contained in the Agreement is increased by Five Million and 00/100 dollars (\$5,000,000.00).
3. Article 9.1 of the Agreement is amended as follows (stricken-through language indicates a deletion; underlined language indicates an insertion):

\*\*\*

L. County’s Federal Inspection Services (FIS) Contingency ~~\$44,000,000.00~~  
\$49,000,000.00

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4. Except as expressly modified herein, all remaining terms and conditions of the Agreement shall remain in full force and effect.

5. The effective date of this Sixth Amendment shall be the date of complete execution by both parties.
6. This Sixth Amendment may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

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IN WITNESS WHEREOF, the parties hereto have made and executed this Sixth Amendment. Broward County, Florida, through its Board of County Commissioners, signing by and through its Mayor or Vice-Mayor authorized to execute same by Board action on the \_\_\_\_ day of \_\_\_\_\_, 2018, and Cummings-Balfour Beatty, a Joint Venture, signing by and through its representative duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, by and through its Board of County Commissioners

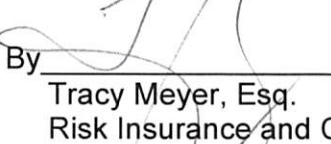
\_\_\_\_\_  
Broward County Administrator, as  
Ex-officio Clerk of the Broward County  
Board of County Commissioners

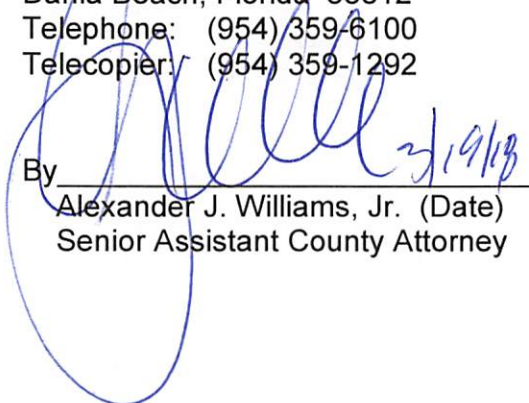
By \_\_\_\_\_  
Mayor or Vice-Mayor

\_\_\_\_ day of \_\_\_\_\_, 2018

Insurance requirements  
approved by Broward County  
Risk Management Division

Approved as to form by  
Andrew J. Meyers  
Broward County Attorney  
Aviation Office  
2200 S.W. 45 Street, Suite 101  
Dania Beach, Florida 33312  
Telephone: (954) 359-6100  
Telecopier: (954) 359-1292

By  \_\_\_\_\_ 3/19/18  
Tracy Meyer, Esq. (Date)  
Risk Insurance and Contracts Manager

By  \_\_\_\_\_ 3/19/18  
Alexander J. Williams, Jr. (Date)  
Senior Assistant County Attorney

AW/  
Term4W/CBB – 6<sup>th</sup> Amd  
03/13/2018

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CONTRACTOR

WITNESSES:

CUMMINGS-BALFOUR BEATTY, a  
JOINT VENTURE

  
\_\_\_\_\_  
Signature

Vickie-Ann McDeigan  
Print Name of Witness above

By:   
\_\_\_\_\_  
Authorized Signor

Daniel Hoisman - President/CEO  
Print Name and Title

15 day of March, 2018

  
\_\_\_\_\_  
Signature

Rachel Moss  
Print Name of Witness above

ATTEST:  
  
\_\_\_\_\_  
Corporate Secretary or other person  
authorized to attest

(CORPORATE SEAL OR NOTARY)

