

**Amendment II**  
**to the "TERMS AND CONDITIONS OF AGREEMENT**  
**BETWEEN THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA,**  
**AND CONSTRUCTION MANAGER"**

THIS AMENDMENT, made this 4th day of August, 2022, between **THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA** (hereinafter referred to as "Owner"), and **D.E. Scorpio Corporation, dba Scorpio** (hereinafter referred to as the "Construction Manager),

WHEREAS, the parties herein, on February 3, 2022, entered into an Agreement wherein the **SCHOOL BOARD OF CLAY COUNTY, FLORIDA**, contracted with **D.E. SCORPIO CORPORATION** as constructor on an at-risk basis for construction of Keystone Heights Elementary School New Cafeteria/Classrooms, and

WHEREAS, Article II, Section 2.1, subsection H, of the **TERMS AND CONDITIONS OF AGREEMENT BETWEEN THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA, AND CONSTRUCTION MANAGER** (hereinafter referred to as "TERMS"), requires that the construction manager submit its proposed guaranteed maximum price (hereinafter referred to as "GMP") to the owner, which GMP, if agreed to by the owner is to become an amendment to the **TERMS** agreement between the parties, and

WHEREAS, the Construction Manager has submitted the Bid Package #2 (Building Construction), attached hereto, and both parties agree to be bound by the terms therein, and

WHEREAS, the acceptance of the Bid Package #2 (Building Construction) requires the further amendment of the **TERMS**,

NOW, THEREFORE, the Owner and Construction Manager agree as follows:

The TERMS agreement is amended to include, in its entirety, the document entitled Bid Package # 2 (Building Construction) Guaranteed Maximum Price Proposal which reflects the GMP of \$21,108,760.00. The original of the GMP Proposal is attached hereto and incorporated herein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the TERMS the day and year first written above.

**SCHOOL BOARD OF CLAY COUNTY,  
FLORIDA**

By \_\_\_\_\_  
**MARY BOLLA**  
**Board Chair**

ATTEST:

\_\_\_\_\_  
WITNESS (as to the Board)

\_\_\_\_\_  
WITNESS (as to the Board)

By \_\_\_\_\_  
**David Broskie**  
**Superintendent of Schools**

**D.E. SCORPIO  
CORPORATION**

By \_\_\_\_\_  
**Domenic Scorio**  
**President**

\_\_\_\_\_  
WITNESS (as to Construction Manager)

*Jessica MacLure*  
\_\_\_\_\_  
WITNESS (as to Construction Manager)