

**Amendment 4**  
**to the "TERMS AND CONDITIONS OF AGREEMENT**  
**BETWEEN THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA,**  
**AND CONSTRUCTION MANAGER"**

THIS AMENDMENT, made this 19th day of April, 2007, between **THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA** (hereinafter referred to as "Owner"), and **SKANSKA USA BUILDING, INC.** (hereinafter referred to as the "Construction Manager"),

WHEREAS, the parties herein, on May 18, 2006, entered into an Agreement wherein the **SCHOOL BOARD OF CLAY COUNTY, FLORIDA**, contracted with **SKANSKA USA BUILDING, INC.** as constructor on an at-risk basis for construction of **Elementary School "W" and "X"**, 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 partial GMP for Elementary School "X" attached hereto, and both parties agree to be bound by the terms therein, and

WHEREAS, the acceptance of the total GMP 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 Guaranteed Maximum Price Proposal, dated **April 3, 2007** in the amount of **\$20,795,246.00**. 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 \_\_\_\_\_  
**CAROL VALLENCOURT, Chairperson**

ATTEST:

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

By \_\_\_\_\_  
**DAVID OWENS**  
**Superintendent of Schools**

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

**SKANSKA USA BUILDING, INC.**

By \_\_\_\_\_  
**DONALD L. FEATHER**  
**Senior Vice President**

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

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