

Amendment 2
to the "TERMS AND CONDITIONS OF AGREEMENT
BETWEEN THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA
AND CONSTRUCTION MANAGER"

THIS AMENDMENT, made this 21st day of September, 2006, between **THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA** (hereinafter referred to as "Owner"), and **M. M. PARRISH CONSTRUCTION COMPANY** (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 **M. M. PARRISH CONSTRUCTION COMPANY** as contractor on an at-risk basis for construction of Charles E. Bennett Elementary School Classroom Replacement.

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 Construction Phase I (Building 16) at Charles E. Bennett Elementary School Classroom Replacement GMP attached hereto, and both parties agree to be bound by the TERMS therein.

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 for Construction Phase I (Building 16) at Charles E. Bennett Elementary School Classroom Replacement dated September 12, 2006, in the amount of \$3,606,375.00, a copy of which is attached hereto as Exhibit "A".

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

WITNESS (as to the Board) ATTEST:

WITNESS (as to the Board) By _____
**DAVID OWENS
Superintendent of Schools**

M. M. PARRISH CONSTRUCTION CO.

By _____
**MICHAEL WALSH
President**

WITNESS (as to Construction Manager)

WITNESS (as to Construction Manager)