

**FIRST AMENDMENT TO
TASK ORDER 3**

THIS AMENDMENT is made as of the 8th day of July, 2013, between **THE CITY OF LEESBURG, FLORIDA**, a Florida municipal corporation, who's address is 501 West Meadow Street, Post Office Box 490630, Leesburg, FL 34749-0630 (hereinafter referred to as the "City"), and **KEMA, Inc.** whose address is 67 South Bedford Street, Suite 201E, Burlington, MA 01803 (hereinafter referred to as the "Professional").

WITNESSETH:

THAT, on June 11, 2012 the City and Professional executed Task Order No. 3 to the Master Agreement to provide professional services to assist the City in preparing and submitting reports required by the Department of Energy in support of the City's Smart Grid Investment Grant (SGIG).

NOW, the parties wish to amend Task Order No. 3 approving additional expenditures based on the Professionals review and identification of additional reporting services.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties to this Agreement and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Recitals.** The above recitals are true and correct and are incorporated by reference herein and made a part hereof.
2. **Amendment.** The parties agree to additional expenditures of \$49,000.00 under Task Order No. 3 bringing the total value of Task Order 3 to \$119,000.00. The additional services are detailed in the proposal attached as **EXHIBIT "A"**.
3. **Modification.** Except as specifically modified by this Amendment, all terms and conditions of the prior Task Order shall continue in full force and effect as originally executed. Nothing herein shall be deemed or construed to amend or modify any other contract or undertaking between the City and the Professional other than as defined above.
4. **Counterparts.** Original signatures transmitted and received via facsimile or other electronic transmission of a scanned document, (e.g., PDF or similar format) are true and valid signatures for all purposes hereunder and shall bind the parties to the same extent as that of an original signature. Any such facsimile or electronic mail transmission shall constitute the final agreement of the parties and conclusive proof of such agreement. Any such electronic counterpart shall be of sufficient quality to be legible either electronically or when printed as hardcopy. The CITY shall determine legibility and acceptability for public record purposes. This Agreement may be executed in one or more counterparts, each of which shall for all purposes be deemed to be an original and all of which shall constitute the same instrument.

[Signature page follows.]

IN WITNESS WHEREOF, the parties have executed this Amendment to the Task Order for Professional Services.

THE CITY OF LEESBURG, FLORIDA

KEMA, Inc.

By: _____
Mayor

By: *Ronald J Chebra*

Printed: Ronald J Chebra

Attest: _____
City Clerk

Its: Vice President
(Title)

Approved as to form

Date: June 24, 2013

City Attorney



June 10, 2013

Mr. Ray Sharp
Interim City Manager
City of Leesburg
501 West Meadow Street
Leesburg, FL 34748

Dear Ray,

DNV KEMA is pleased to propose an amendment to the current Task Order 3 to perform the additional activities associated with DOE reporting for the City of Leesburg.

DNV KEMA will assign additional resources to assist Leesburg with completing the following deliverables:

- Develop materials for the July 9th DOE visit
- Assist in negotiating with the DOE new (more reasonable) impact metrics
- Gain clarification on Federal property reporting requirements

The following reports will be created:

- Draft Monthly Progress Report for May 2013
- Standard Form 425 – Quarterly Financial Report
- OMB 1512—Quarterly report on project progress, payments and jobs
- Annual Inventory report structure (if necessary)

DNV KEMA will assist COL in revising the following reports:

- PEP
- SF424a
- PMC123

DNV KEMA requests an additional \$49,000 (\$45,000 for labor and \$4,000 for travel) be added to the existing task order 3 bringing the total from the current \$70,000 to \$119,000.



Ray, we believe that taking these steps will put Leesburg back on a strong path to successfully complete your ARRA funding. DNV KEMA has the resources ready to start today upon your approval of the tasks above. Please feel free to contact me with any comments or requested modifications.

Best regards,

A handwritten signature in black ink that reads "Ron Chebra". The signature is written in a cursive style with a large, looping initial "R".

Ron Chebra
Vice President