

FIFTH AMENDMENT
TO
PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY AGREEMENT
FOR GENERAL COUNSEL SERVICES

This FIFTH AMENDMENT entered into and effective this 1st day of October, 2019 by and between the PEACE RIVER MANASOTA REGIONAL WATER SUPPLY AUTHORITY, an independent special district created pursuant to Section 373.1962, Florida Statutes, now found at Section 373.713, Florida Statutes, and Section 163.01, Florida Statutes, acting by and through its governing Board of Directors, hereinafter referred to as the “Authority”, whose address is 9415 Town Center Parkway, Lakewood Ranch, Florida 34202, and Manson Bolves Donaldson Varn, P.A., hereinafter referred to as the “Firm”, whose address is 109 North Brush Street, Suite 300, Tampa, Florida 33602, and collectively referred to as the “Parties”.

WITNESSETH:

WHEREAS, the Authority and Manson Bolves Donaldson, P.A. entered into the Peace River Regional Water Supply Authority Agreement for General Counsel Services on August 5, 2015, which was subsequently amended on October 5, 2016, October 4, 2017, May 30, 2018, and October 1, 2018 (“Agreement”);

WHEREAS, Paragraph 9.1 of the Agreement provides for a five (5) year term with the Agreement expiring on September 30, 2023;

WHEREAS, Paragraph 13.2 of the Agreement sets the total not to exceed amount for legal fees for Fiscal Year 2019 at One Hundred and Ninety-Five Thousand Dollars (\$195,000.00) and requires the Authority Board of Directors to set the amount for total legal fees annually for each subsequent fiscal year by amendment to the Agreement;

WHEREAS, Paragraph 6.1 of the Agreement provides that it may only be amended by a writing duly executed by the Parties; and

WHEREAS, the Parties wish to extend the term of the Agreement and set the total legal fees for Fiscal Year 2020.

NOW THEREFORE, in consideration of the mutual terms and covenants and conditions contained herein, the parties hereby mutually agree to amend the Agreement as follows:

1. The first sentence of Paragraph 13.2 is deleted and replaced with the following:

13.2 The Authority agrees to compensate the Firm \$225.00 an hour blended rate for attorneys and \$90.00 for paralegals for work performed within the scope set forth in Exhibit “A”; however, the total fees for Authority Fiscal Year 2020

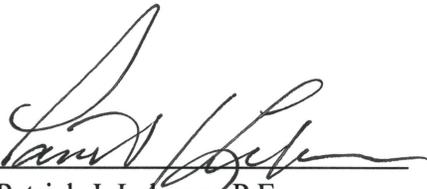
(October 1, 2019 to September 30, 2020) shall not exceed One Hundred and Ninety-Five Thousand Dollars (\$195,000.00).

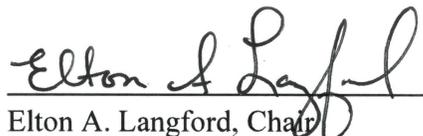
2. The terms, covenants and conditions set forth in the Agreement that have not been specifically amended herein, will continue in existence, are hereby ratified, approved and confirmed, and will remain binding upon the parties hereto.

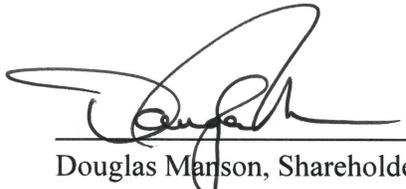
IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this FIFTH AMENDMENT on the day and year set forth above.

ATTEST:

PEACE RIVER MANASOTA
REGIONAL WATER SUPPLY
AUTHORITY


Patrick J. Lehman, P.E.
Executive Director


Elton A. Langford, Chair


Douglas Manson, Shareholder

BOARD APPROVED

OCT - 2 2019

**Peace River Manasota
Regional Water Supply Authority**