

2. AMENDMENT/MODIFICATION NO. <b>1</b>	3. EFFECTIVE DATE <b>SEE BLOCK 16C</b>	4. REQUISITION/PURCHASE REQ.NO.	5. PROJECT NO. (If applicable)
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6. ISSUED BY: Commander Naval Facilities Engineering Command Southeast P. O. Box 30, B 903, NAS Jacksonville, FL 32212-0030	Code <b>OPBDRM</b>	7. ADMINISTERED BY (If other than item 6.) Code <b>N/A</b>	Telephone No. (904) 542-6134 Otherwise same as Item 6.
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) CITY OF KEY WEST PO BOX 1409 KEY WEST, FL 33040	9A. AMENDMENT OF SOLICITATION NO: <b>N69450-12-RP-00166</b>
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CODE: <b>OPBDRM</b>	FACILITY CODE <b>N/A</b>	10B. DATED (SEE ITEM 13) <b>19 MAY 2014</b>
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11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers  is extended  is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning N/A copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (if required):  
**N/A**

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

<input type="checkbox"/> A. THIS CHANGE ORDER IS ISSUED PURSUANT TO:
<input checked="" type="checkbox"/> B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATION CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b).
<input type="checkbox"/> C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
<input type="checkbox"/> D. OTHER: <b>N/A</b>

E. IMPORTANT: Contractor  is not  is required to sign this document and return **two (2)** original copies to the issuing office.

**14. DESCRIPTION OF AMENDMENT/MODIFICATION**

NOW THEREFORE, in consideration of the premises and the forgoing, it is agreed that said Lease is and shall be amended as follows:

- In Section 2.1 "TERM", DELETE the following: "The initial term of this lease shall be for a period of five (5) years beginning on February 1, 2014 and ending on January 31, 2019..." and substitute in lieu thereof: **"The initial term of this Lease shall be for a period of five (5) years beginning on May 19, 2014 and ending on May 18, 2019..."**
- In Section 3.2 "CASH", DELETE the following: "Cash rent is payable in arrears on a monthly basis and is due on or before the first of each month." and substitute in lieu thereof: **"Cash rent is payable in arrears on a monthly basis and is due on or before the tenth of each month."**
- In Section 3.5, ADD the following: "The term "revenue" as used herein, shall mean the sum of all payments and other income received by the LESSEE in connection with ship berthing operations at the Mole Pier less the sum of (a) Rent paid to the GOVERNMENT and (b) actual payments to third parties for the following costs incurred by the LESSEE in connection operating the Mole Pier: (i) Key West Police, (ii) Contract Security (iii) Operating-Port Dept. Admin., (iv)Transportation (contract and City), (v) Utilities, (vi) Maintenance (ground and buildings), and (vii) portable toilet rental."

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) <b>BOGDAN VITAS CITY MANAGER, CITY OF KEY WEST</b>	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) <b>TIMOTHY T. YONCE Real Estate Contracting Officer</b>
15B. CONTRACTOR/OFFEROR (Same as Item 8)  (Signature of person authorized to sign)	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of Contracting Officer)	

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE	PAGE	OF PAGES
				<b>N69450-12-RP-00166</b>	<b>1</b>	<b>1</b>
2. AMENDMENT/MODIFICATION NO. <b>1</b>	3. EFFECTIVE DATE <b>SEE BLOCK 16C</b>	4. REQUISITION/PURCHASE REQ.NO.	5. PROJECT NO. (If applicable)			
6. ISSUED BY: Commander Naval Facilities Engineering Command Southeast P. O. Box 30, B 903, NAS Jacksonville, FL 32212-0030		Code <b>OPBDRM</b>	7. ADMINISTERED BY (If other than item 6.) Telephone No. (904) 542-6134 Otherwise same as Item 6.		Code	<b>N/A</b>
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)  CITY OF KEY WEST PO BOX 1409 KEY WEST, FL 33040			9A. AMENDMENT OF SOLICITATION NO:  <b>N69450-12-RP-00166</b>			
CODE: <b>OPBDRM</b>			FACILITY CODE <b>N/A</b>		10B. DATED (SEE ITEM 13) <b>19 MAY 2014</b>	
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS						
<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning <b>N/A</b> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.						
12. ACCOUNTING AND APPROPRIATION DATA (if required): <b>N/A</b>						
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<input type="checkbox"/> A. THIS CHANGE ORDER IS ISSUED PURSUANT TO:						
<input checked="" type="checkbox"/> B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATION CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103 (b).						
<input type="checkbox"/> C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
<input type="checkbox"/> D. OTHER: <b>N/A</b>						
E. IMPORTANT: Contractor <input type="checkbox"/> is not <input checked="" type="checkbox"/> is required to sign this document and return <b>two (2)</b> original copies to the issuing office.						
14. DESCRIPTION OF AMENDMENT/MODIFICATION						
<p>NOW THEREFORE, in consideration of the premises and the forgoing, it is agreed that said Lease is and shall be amended as follows:</p> <ol style="list-style-type: none"> <li>In Section 2.1 "TERM", DELETE the following: "The initial term of this lease shall be for a period of five (5) years beginning on February 1, 2014 and ending on January 31, 2019..." and substitute in lieu thereof: <b>"The initial term of this Lease shall be for a period of five (5) years beginning on May 19, 2014 and ending on May 18, 2019..."</b></li> <li>In Section 3.2 "CASH", DELETE the following: "Cash rent is payable in arrears on a monthly basis and is due on or before the first of each month." and substitute in lieu thereof: <b>"Cash rent is payable in arrears on a monthly basis and is due on or before the tenth of each month."</b></li> <li>In Section 3.5, ADD the following: "The term "revenue" as used herein, shall mean the sum of all payments and other income received by the LESSEE in connection with ship berthing operations at the Mole Pier less the sum of (a) Rent paid to the GOVERNMENT and (b) actual payments to third parties for the following costs incurred by the LESSEE in connection operating the Mole Pier: (i) Key West Police, (ii) Contract Security (iii) Operating-Port Dept. Admin., (iv) Transportation (contract and City), (v) Utilities, (vi) Maintenance (ground and buildings), and (vii) portable toilet rental."</li> </ol>						
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.						
15A. NAME AND TITLE OF SIGNER (Type or print) <b>BOGDAN VITAS CITY MANAGER, CITY OF KEY WEST</b>			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) <b>TIMOTHY T. YONCE Real Estate Contracting Officer</b>			
15B. CONTRACTOR/OFFEROR (Same as Item 8)  _____ (Signature of person authorized to sign)		15C. DATE SIGNED	16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
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