

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this _____ day of _____, 2017, by and between

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
(hereinafter referred to as “SBBC”),
a body corporate and political subdivision of the State of Florida,
whose principal place of business is
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

TINDALE OLIVER & ASSOCIATES, INC.
D/B/A TINDALE OLIVER
(hereinafter referred to as “VENDOR”),
having its principal place of business at
1000 North Ashley Drive, Suite 400
Tampa, Florida 33602

WHEREAS, SBBC and VENDOR entered into an Agreement dated December 20, 2016 (hereafter “Agreement”) for Request for Proposal 17-107V – Student Generation Rate/School Impact Fee Study; and

WHEREAS, the parties mutually desire to amend certain provisions of the Agreement.

WHEREAS, The Agreement, under Attachment A, Scope of Work – Sections 8, and Attachment C – Proposed Schedule, allows for a total of ten (10) meetings to be performed during the term of the contract. Three (3) additional meetings were attended by VENDOR which exceed the original ten (10) meetings proposed. VENDOR is seeking compensation for attending these additional meetings and any future additional meetings that the VENDOR is required to attend.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. **Recitals.** The Parties agree that the foregoing recitals are true and correct and that such recitals are incorporated herein by reference.
2. **Amended Provisions.** The Agreement is hereby amended by interlineation to amend the Cost of Services.
3. **Order of Precedence Among Agreement Documents.** In the event of conflict between the provisions of the Agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- First: This First Amendment to Agreement, then;
- Second: Agreement, then;
- Third: Addendum No. 1, then;
- Fourth: RFP 17-107V – Student Generation Rate/School Impact Fee Study, then;
- Fifth: Proposal submitted in response to the RFP by VENDOR.

4. **Cost of Services. Exhibits 1 and 2** provide a breakdown of the costs associated with the three additional meetings (preparation for one School Board Workshop and two Oversight Committee meetings); including attendance, and addressing questions posed at the meetings. In addition to these three additional meetings already attended by VENDOR, any future additional meetings (if needed) shall be charged the hourly rates included in Attachment D of the Agreement as provided by VENDOR.

Title	Hourly Rate
Principal	\$205.00
Project Manager	\$165.00
Legal Attorney	\$195.00
Senior Engineer/Planner	\$105.00
Planner/Engineer	\$80.00
GIS Specialist/CADD	\$70.00
Admin/Clerical	\$55.00

Exhibit 1, dated July 10, 2017 is \$9,510.00

Exhibit 2, dated October 2, 2017 is \$3,580.00

Total for additional services is \$13,090.00

4. **Other Provisions Remain in Force.** Except as expressly provided herein, all other portions of the Agreement remain in full force and effect.

5. **Authority.** Each person signing this First Amendment to Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment to Agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment to Agreement on the date first above written.

**[THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK;
SIGNATURE PAGES TO FOLLOW]**

FOR SBBC

(Corporate Seal)

THE SCHOOL BOARD OF
BROWARD COUNTY, FLORIDA

ATTEST:

By _____
Nora Rupert, Chair

Approved as to Form and Legal Content:

Robert W. Runcie, Superintendent of Schools

Digitally signed by Janette M. Smith
Date: 2017.11.08 10:47:53 -05'00'
Janette M. Smith

Office of the General Counsel

FOR VENDOR

(Corporate Seal)

ATTEST:

TINDALE OLIVER & ASSOCIATES, INC.
D/B/A TINDALE OLIVER

By William L. Ball

William L. Ball, Chief Operating Officer

_____, Secretary

-or-

Donald D. Latkovic
Witness Donald D. Latkovic

Lucy Bengochea
Witness Lucy Bengochea

The Following Notarization is Required for Every Agreement Without Regard to Whether the Party Chose to Use a Secretary's Attestation or Two (2) Witnesses.

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 7th day of November, 2017 by William L. Ball of _____
Name of Person

Tindale-Oliver & Associates, Inc. dba Tindale Oliver, on behalf of the corporation/agency.
Name of Corporation or Agency

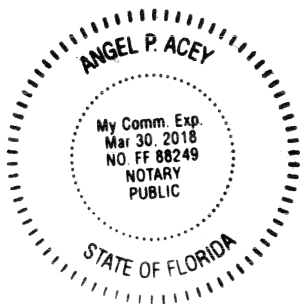
He/She is personally known to me or produced NA as identification and did/did not first take an oath. _____
Type of Identification

My Commission Expires:

March 30, 2018

Angel P. Acey
Signature – Notary Public

(SEAL)



Angel P. Acey
Printed Name of Notary

FF 88249
Notary's Commission No.



EXHIBIT 1

GREAT INSIGHTS. GREATER OUTCOMES.

July 10, 2017

Mr. Mohammed Rasheduzzaman, B. Arch., MURP, AICP
 Planner - GMM
 Broward County Public Schools
 Facility Planning and Real Estate Department
 600 SE 3rd Avenue
 Fort Lauderdale, Florida 33301
Re: Broward County Public Schools – Additional Meetings

Dear Mr. Rasheduzzaman:

Per your request, this letter provides a quote for Tindale Oliver to attend two additional meetings related to the student generation rate and school impact fee calculations for the School Board. These meetings include the following:

- Oversight Committee Meeting on August 9, 2017
- School Board Workshop on August 15, 2017

The professional fees associated with these services are estimated at \$9,510 and include effort associated with preparation for the meetings, attendance and presentations at the meetings, and addressing questions posed during the meeting afterwards.

TASK DESCRIPTION	Principal \$205.00	Project Manager \$165.00	Senior Eng./Pln \$165.00	Admin/ Clerical \$55.00	TOTAL TASK HOURS	BURDENED COST/ TASK
Preparation for additional meetings & follow up afterwards (2)	10.0	10.0	12.4	1.0	33.0	\$5,015
Attendance to additional meetings (2)	12.0	12.0		1.0	25.0	\$4,495
TOTAL PROJECT BUDGET	22.0	22.0	12.0	2.0	38.0	\$9,510

Please let me or Nilgün Kamp know if you have any questions regarding this quote.

Sincerely,

Steven A. Tindale, P.E., AICP
 President



EXHIBIT 2

GREAT INSIGHTS. GREATER OUTCOMES.

October 2, 2017

Mr. Mohammed Rasheduzzaman, B. Arch., MURP, AICP
 Planner - GMM
 Broward County Public Schools
 Facility Planning and Real Estate Department
 600 SE 3rd Avenue
 Fort Lauderdale, Florida 33301

Re: Broward County Public Schools – Additional Meeting

Dear Mr. Rasheduzzaman:

Per your request, this letter provides a quote for Tindale Oliver to attend one additional meeting with the Oversight Committee on October 11, 2017 related to the student generation rate and school impact fee calculations for the School Board. The professional fees associated with these services are estimated at \$3,580 and include effort associated with preparation for the meeting, attendance at the meeting, and addressing questions posed during the meeting afterwards.

TASK DESCRIPTION	Principal \$105.00	Project Manager \$165.00	Senior Eng/Pln \$105.00	Admin/ Clerical \$55.00	TOTAL TASK HOURS	BURDENED COST/ TASK
Preparation for an additional meeting & follow up afterwards	5.0	5.0	6.0	1.0	17.0	\$2,535
Attendance to an additional meeting		6.0		1.0	7.0	\$1,045
TOTAL PROJECT BUDGET	5.0	11.0	6.0	2.0	24.0	\$3,580

Please let me or Nilgün Kamp know if you have any questions regarding this quote.

Sincerely,

Steven A. Tindale, P.E., AICP
 President