

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this _____ day of _____, 201____, 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

STATE CONTRACTING AND ENGINEERING CORPORATION
(hereinafter referred to as “Contractor”),
having its principal place of business at
5391 N. Nob Hill Road
Sunrise, FL 33351

WHEREAS, SBBC and STATE CONTRACTING AND ENGINEERING CORPORATION entered into an Agreement dated April 21, 2015 (hereafter “Agreement”) as a result of Request for Proposals (RFP) 15-076C for the Purchase and Installation of Indoor-Outdoor Walk-In Freezer-Coolers; and

WHEREAS, the Agreement, term is from April 22, 2015 through April 21, 2018, and pursuant to the RFP may be extended for two (2) additional one-year periods and, if needed, 180 days beyond the expiration date of the renewal period; and

WHEREAS, SBBC desires to exercise the first of two (2) options to renew the Agreement for a period of one (1) additional year.

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:

1.01 **Recitals.** The Parties agree that the foregoing recitals are true and correct and that such recitals are incorporated herein by reference.

1.02 **Term of Agreement.** The April 21, 2015 Agreement regarding the Purchase and Installation of Indoor-Outdoor Walk-In Freezer-Coolers, is hereby renewed for one-year beginning **April 22, 2018 through April 21, 2019** unless terminated earlier pursuant to Section 3.05 of the Agreement.

1.03 **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:

- a) this First Amendment to Agreement, then;
- b) the Agreement, then;
- c) addendum No. 2, then;
- d) addendum No. 1, then;
- e) RFP 15-076C – Purchase and Installation of Indoor-Outdoor Walk-In Freezer-Coolers, then;
- f) the proposal submitted in response to the RFP 15-076C

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

1.05 **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.

FOR SBBC

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Nora Rupert, Chair

Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

Janette M. Smith

Digitally signed by Janette M.
Smith

Date: 2018.03.23 13:50:12 -04'00'

Office of the General Counsel



FOR CONTRACTOR

(Corporate Seal)

ATTEST:



_____, Secretary

-or-

Witness

Witness

STATE CONTRACTING AND
ENGINEERING CORPORATION

By _____

Signature

Printed Name: Paul Carty

Title: President

STATE OF Florida

COUNTY OF Broward

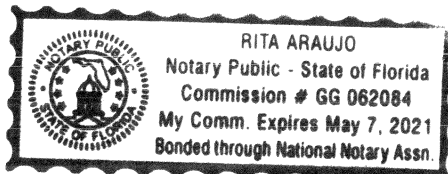
The foregoing instrument was acknowledged before me this 15th day of March, 2018 by PAUL CARTY of _____
Name of Person

STATE CONTRACTING & ENGINEERING CORP on behalf of the corporation/agency. He/She is personally known to me or produced _____ as identification and did/did not first take an oath. _____
Type of Identification

My Commission Expires: 05/07/2021

Rita Araujo
Signature – Notary Public

(SEAL)



RITA ARAUJO
Printed Name of Notary

GG 062084
Notary's Commission No.

FIRST AMENDMENT TO AGREEMENT

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____ day of _____, 201 ____, 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

JOHNSON CONTROLS, INC.
(hereinafter referred to as "Contractor"),
having its principal place of business at
15901 S.W. 29th Street, Number 801
Miramar, FL 33027

WHEREAS, SBBC and JOHNSON CONTROLS, INC. entered into an Agreement dated April 21, 2015 (hereafter "Agreement") as a result of Request for Proposals (RFP) 15-076C for the Purchase and Installation of Indoor-Outdoor Walk-In Freezer-Coolers; and

WHEREAS, the Agreement, term is from April 22, 2015 through April 21, 2018, and may be extended for two (2) additional one-year periods and, if needed, 180 days beyond the expiration date of the renewal period; and

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FOR SBBC

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Nora Rupert, Chair

Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

**Janette M.
Smith**

Digitally signed by Janette
M. Smith
Date: 2018.03.23 13:51:47
-04'00'

Office of the General Counsel

FOR CONTRACTOR

(Corporate Seal)

JOHNSON CONTROLS, INC.

ATTEST:

By Stephen P Telo
Signature

Printed Name: Stephen P Telo

Title: Florida Area Service Manager

_____, Secretary

[Signature]
Witness

Donna Miller
Witness

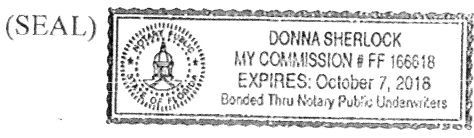
STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 23RD day of MARCH, 2018 by STEPHEN P. TELO of JOHNSON CONTROLS on behalf of the corporation/agency. He is personally known to me or produced _____ as identification and did/did not first take an oath. _____ Type of Identification

My Commission Expires: OCT 7, 2018

[Signature]
Signature - Notary Public



DONNA SHERLOCK
Printed Name of Notary
FF 166618
Notary's Commission No.