

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

PROGRESSIVE WASTE SOLUTIONS OF FL., INC.
(hereinafter referred to as "Progressive"),
having its principal place of business at
3840 N.W. 37th Court
Miami, FL 33142

WHEREAS, SBBC and PROGRESSIVE WASTE SOLUTIONS OF FL., INC. entered into an Agreement dated April 21, 2015 (hereafter "Agreement") as a result of Invitation to Bid (ITB) 15-087T for Refuse Services; and

WHEREAS, the Agreement, term is from April 22, 2015 through April 30, 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

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 Refuse Services, is hereby renewed for one-year beginning **May 1, 2018 through April 30, 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. 1, then;
- d) ITB 15-087T – Refuse Services, then;
- e) the proposal submitted in response to the ITB 15-087T

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: 2018.03.20 14:06:13 -04'00'

Office of the General Counsel

FOR PROGRESSIVE

(Corporate Seal)

ATTEST:

, Secretary

-or-

Juan C. Dorn
Witness

Witness

PROGRESSIVE WASTE SOLUTIONS OF FL., INC.

By Damian Ribar
Signature

Printed Name: DAMIAN RIBAR

Title: DIVISION VICE PRESIDENT

STATE OF Florida

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 20th day of March, 2018 by Damian Ribar of Progressive Waste Waste Solutions FL, Inc Name of Person

to me or produced Florida Drivers License as identification and did/did not first take an oath. Florida Drivers License Type of Identification

My Commission Expires:

Juan C. Dorn
Signature – Notary Public

(SEAL)

Printed Name of Notary

Notary's Commission No.

