

**FIRST AMENDMENT TO
AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this ____ day of _____, 2018, 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

CATAPULT LEARNING, LLC
(hereinafter referred to as “VENDOR”),
whose principal place of business is
Two Aquarium Drive, Suite 100
Camden, New Jersey 08103

WHEREAS, SBBC and VENDOR entered into an Agreement dated January 21, 2015 (hereinafter referred to as Agreement); under RFP 15-045V – Professional Development for Non-Public Schools for the purpose of providing professional development to improve teaching and learning through sustained and intensive high-quality professional development activities in the core academic subjects; and

WHEREAS, VENDOR offered a proposal dated September 30, 2014 (hereinafter referred to as “Proposal” which is incorporated by reference herein, in response to the RFP; and

WHEREAS, VENDOR admits and agrees that on January 21, 2015, it was awarded an Agreement under the RFP from January 22, 2015 through June 30, 2018, which permits two (2) one-year renewals and an additional extension for up to 180 days beyond the expiration date of the final renewal period (hereinafter referred to as “Agreement”); and

WHEREAS, SBBC wishes to exercise its 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 the sum of Ten Dollars (\$10.00) 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 Agreement regarding 15-045V – Professional Development for Non-Public Schools is hereby extended from **July 1, 2018** through **June 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:

- First: This First Amendment to Agreement; then
- Second: Agreement, then;
- Third: Addendum No. 1, then;
- Fourth: RFP 15-045V – Professional Development for Non-Public Schools
- Fifth: Proposal submitted in response to RFP 15-045V and **VENDOR's** Letter of Transmittal.

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 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:

Kathelyn Jacques-Adams
Digitally signed by Kathelyn Jacques-Adams,
Esq. - kathelyn.jacques-
adams@gbrowardschools.com
Reason: Catapult Learning, LLC
Date: 2018.05.14 10:08:22 -04'00'

Office of the General Counsel

FOR VENDOR

(Corporate Seal)

CATAPULT LEARNING, LLC

ATTEST:

Amy L. Wolf

By *[Signature]*

Print Name: *Steve Quattrociochi*

Liza L. Wolf, Secretary
-or-

Print Title: *President, Education Solutions Group*

Witness

Witness

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 *New Jersey*

COUNTY OF *Burlington*

The foregoing instrument was acknowledged before me this *9th* day of *May*, 20 *18* by *Steve Quattrociochi* of

Catapult Learning, 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:

[Signature]
Signature -- Notary Public

(SEAL)

HEATHER K. OSTROWSKI
Printed Name of Notary **NOTARY PUBLIC OF NEW JERSEY**
Comm. # 2291582
My Commission Expires 11/7/2022

Notary's Commission No.

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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

LEARN-IT SYSTEMS, LLC
(hereinafter referred to as "VENDOR"),
whose principal place of business is
3600 Clipper Mill Road, Suite 330
Baltimore, Maryland 21211

WHEREAS, SBBC and VENDOR entered into an Agreement dated January 21, 2015 (hereinafter referred to as Agreement); under RFP 15-045V – Professional Development for Non-Public Schools for the purpose of providing professional development to improve teaching and learning through sustained and intensive high-quality professional development activities in the core academic subjects; and

WHEREAS, under RFP 15-045V – Professional Development for Non-Public Schools, the Agreement term is from January 22, 2015 through June 30, 2018, and may be extended for two additional one-year periods and, if needed, 180 days beyond the expiration date of the renewal period; and

WHEREAS, SBBC wishes to exercise its 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 the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

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FOR SBBC

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By _____
Nora Rupert, Chair

ATTEST:

Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

Kathelyn Jacques-Adams

Digitally signed by Kathelyn Jacques-Adams, Esq. -
kathelyn.jacques-adams@gbrowardschools.com
Reason: Learn-It Systems, LLC
Date: 2018.05.04 11:16:22 -04'00'

Office of the General Counsel

FOR VENDOR

(Corporate Seal)

LEARN-IT SYSTEMS, LLC

ATTEST:

By [Signature]

_____, Secretary

Print Name: MICHAEL KOCOROWSKI

-or-

Print Title: CFO

[Signature]

Witness

[Signature]

Witness

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 Maryland

COUNTY OF Balt. City

The foregoing instrument was acknowledged before me this 3rd day of

May, 2018 by Michael Kocorowski of

Name of Person

Learn It Systems, on behalf of the corporation/agency.

Name of Corporation or Agency

He/She is personally known to me or produced n/a as identification

and did/did not first take an oath. CT Type of Identification

My Commission Expires:

[Signature]

Signature – Notary Public

Charles Totten

Printed Name of Notary

N/A

Notary's Commission No.

