

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

METROPOLITAN LIFE INSURANCE COMPANY

(hereinafter referred to as "METLIFE"),
having its principal place of business at
200 Park Avenue
New York, New York 10166

WHEREAS, SBBC issued a Request for Proposal identified as RFP 16-057V – Group Disability Coverage for School Board Employees, dated, September 4, 2015 and amended by Addendum Number One, dated September 15, 2015 and Addendum Number Two dated, September 22, 2015 and Addendum Number Three, dated September 29, 2015 and Addendum Number Four, dated October 2, 2015 (herein referred to as 'RFP'), which are incorporated by reference herein, for the purpose of receiving proposals for Group Disability Coverage for School Board Employees; and

WHEREAS, METLIFE offered a Proposal, dated September 17, 2015 (hereinafter referred to as "Proposal"), which is incorporated by reference herein, in response to the RFP; and

WHEREAS, SBBC and METLIFE entered into an Agreement dated November 17, 2015 (hereafter "Agreement") for Group Disability Coverage for School Board Employees under RFP 16-057V; and

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

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:

ARTICLES

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

2.01 **Term of Agreement.** The November 17, 2015 Agreement is hereby extended from January 1, 2019 through December 31, 2019, unless terminated earlier pursuant to Section 3.05 of the Agreement.

3.01 **Premiums.** The premium rates for the period January 1, 2019 through December 31, 2019 shall be:

Core Plan: 0.477 cents per \$100.00 of insured payroll
Buy-Up Plan: 0.242 cents per \$100.00 of insured payroll

4.01 **Rate Cap.** If SBBC and METLIFE mutually agree to exercise the second one-year renewal option for the period January 1, 2020 through December 31, 2020 the premium rates will be as follows:

Core Plan: 0.477 cents per \$100.00 of insured payroll
Buy-Up Plan: 0.242 cents per \$100.00 of insured payroll

5.01 **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 dated, November 17, 2015; then
- c) Addendum Number Four dated, October 2, 2015; then
- d) Addendum Number Three dated, September 29, 2015; then
- e) Addendum Number Two dated, September 22, 2015; then
- f) Addendum Number One dated, September 15, 2015; then
- g) RFP 16-057V – “Group Disability Coverage for School Board Employees; then
- h) The Proposal submitted by METLIFE in response to the RFP.

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

7.01 **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:


Office of the General Counsel

FOR METLIFE, INC.

(Corporate Seal)

Metropolitan Life Insurance Company

ATTEST:

By *M. McDermott*
Signature

_____, Secretary

Printed Name: Michael McDermott

-or-

Title: Vice President-National Accounts

Jamih Jala
Witness

Jamih Jala
Witness

STATE OF Georgia

COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 9th day of July, 2018 by Michael McDermott of
Name of Person

MetLife on behalf of the corporation/agency. He/She is personally known to me or produced Drivers License as identification and did/did not first take an oath. Type of Identification

My Commission Expires:

Susan Brewton
Signature – Notary Public

(SEAL)

Printed Name of Notary

**Susan Brewton
Notary Public
Fulton County, Georgia
My Commission Expires August 31, 2021**

Notary's Commission No.