

**FIRST AMENDMENT TO
AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this ____ day of _____, 20____, 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

RS PHOTOGRAPHY, LLC DBA TSS PHOTOGRAPHY

(hereinafter referred to as “VENDOR”),
whose principal place of business is
2000 Banks Road, Suite E1,
Margate, FL 33063

WHEREAS, SBBC and VENDOR entered into an Agreement dated September 6, 2017 (hereafter “Agreement”) for Request for Proposal 17-045-1N School Pictures (Excludes Senior Portraits); and

WHEREAS, VENDOR provides School Pictures (Excludes Senior Portraits) to any school-allied groups desiring to contract with VENDOR for the provision of such services to students enrolled in one of SBBC’s district schools; and

WHEREAS, VENDOR is included in a pool of qualified vendors from which school-allied groups might select a vendor to provide such services to students enrolled at a specific district school; and

WHEREAS, on June 14, 2017, Sports Section of South Florida, Inc. dba TSS Photography changed its name to RS Photography, LLC dba TSS Photography.

WHEREAS, VENDOR desires to substitute the Sports Section of South Florida, Inc. dba TSS Photography to RS Photography, LLC dba TSS Photography as a name change only, and will honor and agree to the terms of the Request for Proposal 17-045-1N School Pictures (Excludes Senior Portraits).

WHEREAS, the parties mutually desire to amend certain provisions of the Agreement through this First Amendment to Agreement (hereafter “Amendment”).

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 **Name Change**. Sports Section of South Florida, Inc. dba TSS Photography shall be replaced with RS Photography, LLC dba TSS Photography, by interlineation, within 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) Agreement; then
- c) Addendum Number One dated May 31, 2017; then
- d) RFP 17-045-1N – “School Pictures (Excludes Senior Portraits)” dated May 12, 2017; then
- e) the Proposal submitted by VENDOR in response to RFP.

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.

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGES FOLLOW]

FOR SBBC:

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By _____
Heather P. Brinkworth, Chair

Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

Office of the General Counsel

[THIS SPACE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS]

FOR VENDOR

(Corporate Seal)

**RS PHOTOGRAPHY, LLC DBA TSS
PHOTOGRAPHY**

ATTEST:

By [Signature]
Signature

_____, Secretary

Printed Name: Rachel Sherman

Title: Owner / President

-or-
[Signature]
Witness

[Signature]
Witness

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 8th day of February, 2019 by Rachel Sherman of RS Photography, LLC on behalf of the corporation/agency. He/She is personally known to me or produced [Signature] as identification and did/did not first take an oath. _____ Type of Identification

My Commission Expires: 6/1/2022

[Signature]
Signature - Notary Public

Devin Arcuri
Printed Name of Notary

66218967
Notary's Commission No.

(SEAL)

