

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this _____ day of _____, 2020, 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

JOSTENS, INC.
(hereinafter referred to as “VENDOR”),
whose principal place of business is
7760 France Avenue South, Suite 400
Bloomington, MN 55435

WHEREAS, SBBC and VENDOR entered into an Agreement dated December 5, 2017 (hereafter “Agreement”) for Request for Proposal 17-047-1N Yearbooks and Memory Books for All Schools hereafter “RFP”, with an initial contract term from December 12, 2017, and continuing through May 31, 2020; 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, 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 **Term of Agreement.** Pursuant to Section 2.01 of the Agreement, the term of the Agreement is hereby extended from June 1, 2020 through May 31, 2021, unless terminated earlier pursuant to Section 3.06 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) First: This First Amendment to Agreement; then
- b) Second: The Agreement; then
- c) Third: RFP 17-047-1N – “Yearbooks and Memory Books for All Schools” dated August 21, 2017; then
- d) Fourth: 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 _____
Donna P. Korn, 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)

JOSTENS, INC.

ATTEST:

By [Signature]
Signature

, Secretary

Printed Name: Kelley Fernandez

Title: Sales Representative

-or-

[Signature]
Witness

Witness

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12th day of April (date) by Kathleen Groth (name of officer or agent, title of officer or agent) of _____ (name of corporation acknowledging), a _____ (state or place of incorporation) corporation, on behalf of the corporation. He/she is personally known to me or has produced DRIVERS LICENSE (type of identification) as identification and who did/ did not first take an oath this 12th day of April, 2020.

My Commission Expires:

1/28/2024

[Signature]
Signature – Notary Public

Kathleen Groth
Notary's Printed Name

(SEAL)

GG952380
Notary's Commission No.

