

# **FIRST AMENDMENT TO AGREEMENT**

**THIS FIRST AMENDMENT TO AGREEMENT** is made and entered into as of this  
\_\_\_\_ day of \_\_\_\_\_, 2019, 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

**CALVIN, GIORDANO & ASSOCIATES, INC.**  
**d/b/a MEP STRUCTURAL, ENGINEERING AND INSPECTIONS, INC.**  
(hereinafter referred to as “**CGA**”),  
Florida for profit corporation authorized to do business in the State of Florida,  
having its principal place of business at  
1800 Eller Dr, Suite. 600  
Fort Lauderdale, Fl 33316

**WHEREAS**, MEP Structural, Engineering and Inspections, Inc. submitted a proposal in response to RFP 18-215C issued by SBBC and the parties entered into an Agreement for Open End Building Code Supplemental Services dated November 7, 2018 (hereafter “Agreement”); and

**WHEREAS**, the Agreement’s term is from January 1, 2019 through December 31, 2021, with a possible one (1) year extension; and

**WHEREAS**, the interests of MEP Structural, Engineering and Inspections, Inc. in the Agreement have been acquired by CGA which desires to obtain SBBC’s consent to the assignment of said interests to CGA; and

**WHEREAS**, the parties mutually desire to amend certain provisions of the Agreement including the substitution of CGA for MEP Structural, Engineering and Inspections, Inc. for the remainder of the Agreement’s term 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 **Agreement Assignment.** Pursuant to Section 9.10 of the Agreement, SBBC consents to the assignment to CGA of all rights, duties and obligations of MEP Structural, Engineering and Inspections, Inc. under the Agreement. All such rights, duties and obligations of MEP Structural, Engineering and Inspections, Inc. are hereby assigned to Calvin, Giordano & Associates, Inc.

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 3; then
- d) Addendum 2; then
- e) Addendum 1; then
- f) RFP 18-215C – Miscellaneous Environmental Consulting Services; then
- g) The proposal submitted by MEP Structural, Engineering and Inspections, Inc. in response to RFP 18-215C.

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)

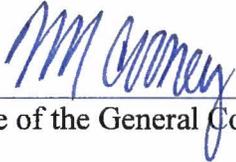
THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

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 CGA

(Corporate Seal)

CALVIN, GIORDANO & ASSOCIATES,  
INC.

ATTEST

By

[Signature]

Signature

[Signature]  
, Secretary

Printed Name:

Dennis Giordano

Title:

President

-or-

Witness

Witness

STATE OF FLORIDA

COUNTY OF Browns

The foregoing instrument was acknowledged before me this 19 day of

November, 2019 by Dennis Giordano of

Name of Person

Calvin, Giordano & Associates, Inc. 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)



Sara Blumkin  
Printed Name of Notary

GG 278621  
Notary's Commission No.