

**THIRD AMENDMENT TO  
AGREEMENT**

**THIS THIRD AMENDMENT TO AGREEMENT** entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 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

**FRINGE BENEFITS MANAGEMENT COMPANY**  
A division of WageWorks  
(hereinafter referred to as "FBWW")  
whose principal place of business is  
3101 Sessions Road  
Tallahassee, Florida 32303

**WHEREAS**, SBBC and Fringe Benefits Management Company entered into an Agreement dated April 29, 2008 (hereinafter "Agreement") for Administration of Flexible Spending Accounts for School Board Employees under RFP 29-001V, and was assigned to FBWW effective December 1, 2010; and

**WHEREAS**, SBBC and FBWW entered into a First Amendment to Agreement dated September 7, 2011, (hereinafter "First Amendment"); and

**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. **Recitals.** The Parties agree that the foregoing recitals are true and correct and that such recitals are herein incorporated by reference.
2. **Term of Agreement.** The term of this Agreement shall be extended for a period of one (1) year and the extended term shall commence on January 1, 2014, and continue through and including December 31, 2014.
3. **Premiums.** The premiums/rates for the period January 1, 2014 through December 31, 2014 shall be:

Monthly Administration Fees

\$ .18 Per Eligible Employee  
\$2.56 Per Participating Employee

4. **Priority of Documents.** In the event of a conflict between the documents, the following priority of documents shall govern:

First: Third Amendment to Agreement;  
Second: Second Amendment to Agreement;  
Third: First Amendment to Agreement;  
Fourth: The Agreement  
Fifth: Addendum Number One [dated December 21, 2007] to the RFP;  
RFP 29-001V "Administration of Flexible Spending Accounts for School Board Employees";  
Sixth: The Proposal submitted in response to the RFP by FBMC

In case of any other doubt or difference of opinion, the decision of SBBC shall be final and binding on both parties.

4. **Terms of Agreement.** Except as expressly provided herein, all terms and conditions set forth in this Agreement and Amendment shall remain in force and effect for the contract term specified within this Addendum.
5. **Authority.** Each person signing this Amendment to Agreement on behalf of either party individually warrants that he or she has the full legal power to execute this 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 Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment to Agreement through their duly authorized representatives.

**FOR SBBC**

(Corporate Seal)

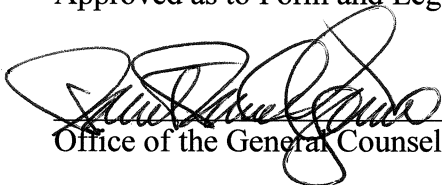
THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

ATTEST:

By: \_\_\_\_\_  
Laurie Rich Levinson, Chair

\_\_\_\_\_  
Robert W. Runcie  
Superintendent of Schools

Approved as to Form and Legal Content:

 06/13/13  
Office of the General Counsel

**FOR FBWW**

FRINGE BENEFITS MANAGEMENT  
COMPANY (A Division of WageWorks)

(Corporate Seal)

Attest: \_\_\_\_\_  
Secretary

By: Barbara L. Gonzales  
Barbara L. Gonzales, CEBS  
Vice President, Public Sector Division

-Or-

[Signature]  
Witness  
[Signature]  
Witness

STATE OF Florida  
COUNTY OF Leon

The foregoing instrument was acknowledged before me this 6th day of June, 2013,  
by Barbara L. Gonzales of Fringe Benefits Management Company (A Division of Wage Works).  
She took an oath and (is personally known to me) or has produced \_\_\_\_\_  
as identification.

(SEAL)



Varonia Walker  
Signature – Notary Public

My Commission expires:  
July 12, 2013

Varonia Walker  
Printed Name of Notary