

CITY ATTORNEY OFFICE - LEGAL REVIEW CHECKLIST

Name of Agreement: Amend No. 3 Ballard Partners Agreement

Department: Purchasing

Contact person: J. McAden

City Manager approval

City Commission approval

Agenda item #: 19-982

Agenda meeting date: 10/15/2019

Resolution #:

Agreement Action:

New <input type="radio"/>	Renewal* <input type="radio"/>	Amendment* <input checked="" type="radio"/>	*Renewal: Only change is the agreement term *Amendment: For changes other than/in addition to term
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Does the Contractor require the City to sign first?: No

For City Attorney Use only:

Agreement Terms:	Comments/Specific Provision in Agreement
Term (Duration of Agreement)	thru Oct 5, 2020
Termination Clause	
Renewal Clause	
Insurance	City standard
Indemnification	City standard
Assignment	
Fiscal Funding Requirement	
FL. Public Records Provision (2016)	
Inspector General Provision	
Governing Law	Florida
Venue	Palm Beach County
Attorney's fees	

Business Principles:	Comments
Fees: Total Value	\$60,000 (increase by \$15,000)
Fees: Per Fiscal Year	

Other Issues:	Comments
Non-Negotiable Issues/ Miscellaneous Issues/ Special Considerations	Amend No 3 to exercise 2nd option to renew; increase compensation to contractor from \$45,000 to \$60,000

Consistent with applicable policies including, but not limited to, Procurement policies. Yes

Attorney: Lynn Gelin, Esq.

Reviewed and approved as to form and legal sufficiency only



CITY OF DELRAY BEACH
100 NW 1st AVENUE, DELRAY BEACH, FL 33444

AMENDMENT NO. 3 TO
SOLICITATION 2015-76
AGREEMENT FOR STATE LEGISLATIVE LOBBYIST

BALLARD PARTNERS, INC

CITY OF DELRAY BEACH
AMENDMENT NO. 3 TO
AGREEMENT FOR STATE LEGISLATIVE LOBBYIST

THIS AMENDMENT NO. 3 to the Agreement for State Legislative Lobbyist, dated October 5, 2015 by and between City of Delray Beach, a municipal corporation of the State of Florida (City), and Ballard Partners, Inc., a Florida corporation (Lobbyist), is entered into this 15th day of October, 2019.

WITNESSETH:

WHEREAS, on October 6, 2015, the City entered into an agreement with Lobbyist for State legislative lobbyist services; and

WHEREAS, Lobbyist continued to provide State legislative lobbyist services in accordance with the Agreement terms and conditions; and

WHEREAS, on April 12, 2017 the parties executed Amendment No. 1, which amended the term of the Agreement to properly reflect a three-year term with the option for three one-year renewals; and

WHEREAS, on October 1, 2018 the parties executed Amendment No. 2 which renewed the Agreement for the first of its three one-year renewal periods; and

WHEREAS, the parties desire to exercise the second one-year renewal period as provided for in the Agreement and increase the value of the Agreement ; and

WHEREAS, the City has determined that it is in the best interest of the City to approve this Amendment No. 3 to renew this Agreement to October 5, 2020.

NOW, THEREFORE, the parties do agree to amend the Agreement as follows:

1. The above recitals are true and correct and are incorporated herein.
2. This Amendment No. 3 renews the Agreement under the same terms and conditions, for the period of October 6, 2019 through October 5, 2020, for an annual not-to-exceed amount of Sixty Thousand Dollars (\$60,000)
3. Except as provided herein, all other terms and conditions of the Agreement remain in full force and effect and are hereby confirmed. The Agreement, Amendment No. 1, Amendment No. 2 and this Amendment No. 3 represent the entire understanding between the parties on the issues contained herein, either written or oral, and may only be amended by written instrument signed by both parties.

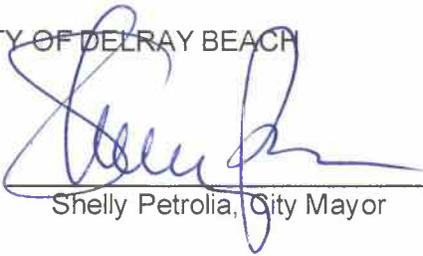
[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the City and the Contractor executed this Amendment as of the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH

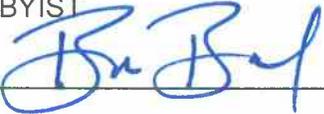

Katerri Johnson, City Clerk


By: Shelly Petrolia, City Mayor

Approved as to form and legal sufficiency:


Lynn Gein, City Attorney

LOBBYIST

By: 

Print Name: Brian D. Ballard

Title: President

(SEAL)



STATE OF FLORIDA

COUNTY OF LEON

The foregoing instrument was acknowledged before me this 2ND day of OCTOBER, 2019, by Brian D. Ballard, as President of Ballard Partners, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced _____ (type of identification) as identification


Notary Public – State of Florida