

**THIRD AMENDMENT TO
AGREEMENT FOR LAND SURVEYING CONSULTING SERVICES**

THIS THIRD AMENDMENT (the "Third Amendment") dated _____, 2016 is entered and effective, nunc pro tunc, as of April 5, 2016 and amends that certain Agreement for Land Surveying Consulting Services entered into between the **CITY OF DELRAY BEACH, FLORIDA** (the "City") and **AVIROM & ASSOCIATES, INC.** dated April 5, 2012.

WITNESSETH:

WHEREAS, the City and Avirom & Associates Inc. entered into the Agreement for Land Surveying Consulting Services for an initial two (2) year term commencing on April 5, 2012; and

WHEREAS, pursuant to Section 6, Agreement Period, of the Agreement for Land Surveying Consulting Services, the City has the option to renew said contract for three one year extensions; and

WHEREAS, by Amendment Number One dated May 6, 2014, the City and Avirom Associates, Inc. agreed to extend the Agreement for Land Surveying Consulting Services until April 5, 2015; and

WHEREAS, by Amendment Number Two dated April 13, 2015, the City and Avirom & Associates, Inc. agreed to further extend the Agreement for Land Surveying Consulting Services until April 5, 2016; and

WHEREAS, as a result of unexpected personnel turnover among City staff, the City, through inadvertence and lack of oversight, failed to timely provide notice of its

intent to renew the Agreement for Land Surveying Consulting Services prior to expiration on April 5, 2016, and

WHEREAS, the City and Avirom & Associates, Inc. wish to exercise the remaining one year renewal term, nunc pro tunc, effective April 5, 2016, and;

WHEREAS, having several agreements for land surveying consulting services in place at all times is in the best interest of the City;

NOW, THEREFORE, the parties hereto in consideration of the covenants herein contained agree as follows:

1. **Recitals.** The recitals set forth above are true and correct and are hereby incorporated as if fully set forth herein.

2. **Term.** The City exercises its one (1) year renewal option pursuant to Section 6, Agreement Period, of the Agreement for Land Surveying Consulting Services. The term of the Agreement for Land Surveying Consulting Services is effective, nunc pro tunc, April 5, 2016 for a one year term ending on April 5, 2017.

3. **Entire Agreement.** All other terms and conditions of the Agreement for Land Surveying Consulting Services not in conflict with this Third Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Third Amendment to be duly executed on the date written above.

ATTEST:

City Clerk

CITY OF DELRAY BEACH

By: _____
Cary Glickstein, Mayor

Approved as to Form:

City Attorney

ATTEST:

(Print or Type Name)

_____.

By: _____
_____, President