CITY ATTORNEY OFFICE - LEGAL REVIEW CHECKLIST

Name of Agreement: Amendment to Agreement for Construction Services for Lowson Blvd to Dover Road with E & M Equipment Corp

Department: Public Works

Contact person: Belinda Defoor

City Manager approval ☑

Reviewed by Purchasing ☑

City Commission approval ☐

Agenda item #:

Agenda meeting date:

Resolution #: 148-21

Agreement Action:	New ◉	Renewal* ○	Amendment* ○	*Renewal: Only change is the agreement term *Amendment: For changes other than/in addition to term

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)	Art. 5: effective date through the completion of work and full acceptance by the City
Termination Clause	ITBC 28- for convenience, 29- for default, 30- fraud and misrep
Renewal Clause	n/a
Insurance	City standard
Indemnification	City standard
Assignment	ITBC 22: not without prior consent
Fiscal Funding Requirement	ITBC 65
FL. Public Records Provision (2016)	ITBC 48
Inspector General Provision	ITBC 32
Governing Law	Florida
Venue	Palm Beach County
Attorney's fees	ITBC 42: each party to bear own
E-verify	Art. 6

Business Principles:	Comments
Fees: Total Value	$6,357,339.00 (Amendment adds $210,902.00)
Fees: Per Fiscal Year	

Other Issues:	Comments
Non-Negotiable Issues/ Miscellaneous Issues/ Special Considerations	Agreement for Construction Services for Lowson Blvd to Dover Road in accordance with City's ITBC. Construction Services will be partially reimbursed on this project with Federal Grant Funding administered by FDOT up to $4,463,000.00.

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

Attorney: Kelly Brandon, Esq.

Reviewed and approved as to form and legal sufficiency only

Form version 5, March, 2018