

**AMENDMENT NO. 1 TO AGREEMENT  
FOR GENERAL CONSULTING SERVICES**

THIS AMENDMENT NO. 1 to the Agreement dated February 22, 2012 is made this 2<sup>nd</sup> day of JANUARY, 2013<sup>4</sup>, by and between the **CITY OF DELRAY BEACH, FLORIDA** (the "City") and **CALVIN, GIORDANO AND ASSOCIATES, INC.** (the "Consultant").

WITNESSETH:

**WHEREAS**, the parties desire to exercise their right to renew the Agreement entered into February 22, 2012 for one year, pursuant to Section VI "Agreement Period," which will extend the contract until February 22, 2015.

**WHEREAS**, the parties desire to amend the Agreement to comport with the recent changes in state law pertaining to public records and to reference the Palm Beach County Inspector General's authority to review contracts.

**NOW, THEREFORE**, based on the promises and covenants herein contained, the parties agree as follows:

1. The recitations referred to above are hereby incorporated herein.
2. The parties desire to repeal Exhibit "B" that was attached to the Agreement dated February 22, 2012 and replace it with the new "Exhibit B" as attached to this Amendment No. 1.
3. The parties desire to amend the agreement to add Paragraph X "Inspector General" and Paragraph Y "Public Records" to comport with recent changes to county and state law:

X. Inspector General:

Consultant is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this contract, and may demand and obtain records and testimony from Consultant and its subcontractors and lower tier subcontractors. Consultant understands and agrees that in addition to all other remedies and consequences provided by law, the failure of Consultant or its subcontractor or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the City to be a material breach of this Agreement justifying its termination.

Y. Public Records:

Consultant shall comply with all public records laws in accordance with Chapter 119, Fla. Stat. In accordance with state law, Consultant agrees to:

a) Keep and maintain all records that ordinarily and necessarily would be required by the City.

b) Provide the public with access to public records on the same terms and conditions that the City would provide for the records and at a cost that does not exceed the costs provided in Chapter 119, Fla. Stat. or as otherwise provided by law.

c) Ensure that public records that are exempt or confidential and exempt from public records disclosure are not disclosed except as authorized by law.

d) Meet all requirements for retaining public records and transfer, at no cost, to the City all records in possession of the Consultant at the termination of the contract and destroy any public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City in a format that is compatible with the information technology systems of the City. All records shall be transferred to the City prior to final payment being made to the Consultant.

e) If Consultant does not comply with this section, the City shall enforce the contract provisions in accordance with the contract and may unilaterally cancel this contract in accordance with state law.

4. All other terms and conditions of the Agreement of February 22, 2012 not in conflict with this Amendment No. 1 shall remain in full force and effect and are incorporated herein.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment No. 1 the day and year first above written.

ATTEST:

By: *Donald D. Nubari*  
City Clerk

**CITY OF DELRAY BEACH, FLORIDA**

By: *[Signature]*  
Mayor

Approved as to legal sufficiency and form:

By: *Daniel Pyle*  
City Attorney *1/17/14*

WITNESSES:

**CALVIN, GIORDANO AND ASSOCIATES, INC.**

*[Signature]*  
Print Name: Elizabeth Pratt

By: *[Signature]*

*[Signature]*  
Print Name: Youslanda D. Darrin

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 10 day of January, 2013<sup>480</sup>, by Dennis Giordano,  
He/She is personally known to me or has produced \_\_\_\_\_ (type of identification) as identification.



*Sara R. Blumkin*  
Notary Public – State of Florida





**Calvin, Giordano & Associates, Inc.**  
EXCEPTIONAL SOLUTIONS  
560 Village Blvd., Suite 340, West Palm Beach, Florida 33409  
Phone: 561.684.6161 • Fax: 561.684.6360

Certificate of Authorization No. 514

DATE  
10/14/2013

CITY OF DELRAY BEACH RATE SHEET		3.05 Mult w/\$175 max	3.00 Mult w/\$175 max
Employee Type		2013 ADJUSTMENT	2011 ORIGINAL
ENGINEERING			
Associate, Engineering (VI)	\$	175.00	\$ 175.00
Director, Engineering (V)	\$	175.00	\$ 175.00
Project Manager (IV)	\$	144.09	\$ 137.23
Project Engineer (III)	\$	125.35	\$ 119.38
Engineer (II)	\$	88.03	\$ 83.84
Jr. Engineer (I)	\$	81.13	\$ 77.27
Engineering Technician	\$	110.25	\$ 105.00
Senior CADD Tech Manager	\$	103.01	\$ 98.10
CADD Technician	\$	78.25	\$ 74.52
CONSTRUCTION			
Construction Management Director	\$	148.61	\$ 141.53
Assitant Construction Management Director	\$	131.30	\$ 125.05
Associate, Construction	\$	130.36	\$ 124.15
Senior Inspector	\$	110.10	\$ 104.86
Inspector	\$	61.78	\$ 58.84
SURVEY			
Survey Crew (3 party)	\$	175.00	\$ 167.41
Senior Registered Surveyor	\$	156.71	\$ 149.25
Registered Surveyor	\$	99.98	\$ 95.22
Survey Coordinator	\$	82.51	\$ 78.58
Clerical	\$	72.94	\$ 69.47
LANDSCAPE			
Associate, Landscape	\$	168.24	\$ 160.23
Sr. Landscape Architect	\$	148.92	\$ 141.83
Environmental Administrator	\$	130.13	\$ 123.93
Landscape Architect	\$	115.19	\$ 109.70
Environmental Specialist	\$	76.72	\$ 73.07
Landscape CADD Technician	\$	73.43	\$ 69.93
PLANNING			
Associate, Planning	\$	154.47	\$ 147.11
Director of Planning	\$	137.28	\$ 130.74
Planner	\$	86.95	\$ 82.81
Jr. Planner	\$	70.69	\$ 67.32



## TRANSMITTAL

**TO:** Terrill Pyburn  
Acting City Attorney  
200 NW 1st Ave.  
Delray Beach, FL 33444

**Date:** 1/16/2014  
**Project** 12-057

**FROM:** Carolanne Kucmerowski *CK*  
City of Delray Beach - ESD  
434 South Swinton Ave.  
Delray Beach, FL 33444

**RE:** Partially Executed Amend #1/Agmt. General Consulting Services  
Calvin, Giordano and Associates, Inc.

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Attached, please find three (3) partially executed originals of Amendment No. 1 to Agreement for General Consulting Services, between the City and Calvin, Giordano and Associates, Inc.; for a one (1) year extension; for your review and approval.

This item was approved by Commission on November 5, 2013; Agenda Item 8.J.

After you have executed, please forward to the City Clerk's Office for further processing.

Thank you, Carolanne

