



CITY OF DELRAY BEACH  
100 NW 1<sup>st</sup> AVENUE, DELRAY BEACH, FL 33444

AMENDMENT NO. 5 TO  
SOLICITATION NO. 2012-07  
AGREEMENT FOR LAND SURVEYING CONSULTING SERVICES

AVIROM & ASSOCIATES, INC.

CITY OF DELRAY BEACH  
AMENDMENT NO. 5 TO  
AGREEMENT FOR LAND SURVEYING CONSULTING SERVICES

THIS AMENDMENT NO. 5 to the Land Surveying Consulting Services Agreement dated April 5, 2012, by and between City of Delray Beach (City), a municipal corporation of the State of Florida and Avirom & Associates, Inc. (Consultant), organized and existing under the laws of the State of Florida, is entered into this \_\_\_\_ day of \_\_\_\_, 2017.

WITNESSETH:

**WHEREAS**, on April 5, 2012, City entered into an agreement with Consultant for Land Surveying Consulting Services in response to Solicitation No. 2012-07 (Agreement) and

**WHEREAS**, on May 6, 2014, Amendment No. 1 was executed to renew the term of the Agreement. Amendment No. 1 inadvertently stated that the renewal period was through April 5, 2015 rather than the correct date of April 4, 2015; and

**WHEREAS**, on April 13, 2015, Amendment No. 2 was executed to renew the term of the Agreement. Amendment No. 2 inadvertently stated that the renewal period was through April 5, 2016 rather than the correct date of April 4, 2016; and

**WHEREAS**, on May 13, 2016, Amendment No. 3 was executed to renew the term of the Agreement. Amendment No. 3 inadvertently stated that the renewal period was through April 5, 2017 rather than the correct date of April 4, 2017; and

**WHEREAS**, on April 14, 2017, Amendment No. 4 was executed to extend the term of the Agreement through July 3, 2017; and

**WHEREAS**, the City desires to extend this Agreement through September 30, 2017 to allow time to complete the evaluation of solicitation responses for a new agreement(s); and

**WHEREAS**, Consultant agrees to continue to provide Land Surveying Consulting Services to City in accordance with the terms and conditions of the Land Surveying Consulting Services Agreement.

**WHEREAS**, the City determines that it is in the best interest of the City to approve this Amendment No. 5 to extend this Agreement to September 30, 2017.

**NOW, THEREFORE**, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the parties do agree that the Land Surveying Consulting Services Agreement is amended as follows:

1. The above recitals are true and correct and are incorporated herein.
2. This Amendment No. 5 extends the Agreement, under the same terms and conditions, for the period of July 4, 2017 through September 30, 2017.
3. The City may terminate this Agreement at any time, upon twenty-four (24) hours written notice.

4. 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, Amendment No. 3, Amendment No. 4 and this Amendment No. 5 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 this page is intentionally left blank]

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

ATTEST:

CITY OF DELRAY BEACH

Katerri Smith, City Clerk

By: Cary D. Glickstein, Mayor

Approved as to form and legal sufficiency:

R. Max Lohman, City Attorney

AVIROM & ASSOCIATES, INC

By:

*Michael D. Avirom*

Print Name: Michael D. Avirom

Title: President

(SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 25 day of May, 2017, by Michael D. Avirom, as President (name of officer or agent, title of officer or agent), of Avirom & Associates, Inc. (name of corporation acknowledging), a Florida (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced (type of identification) as identification

*Janice China*  
Notary Public – State of Florida

