

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

AMENDMENT NUMBER (#) 1 TO  
MASTER CONTRACTOR/SERVICES AGREEMENT

M & M Asphalt Maintenance, Inc. d/b/a All County Paving, Inc.

**CITY OF DELRAY BEACH  
AMENDMENT # 1 TO  
MASTER CONTRACTOR / SERVICES AGREEMENT**

**THIS AMENDMENT # 1** (the "Amendment") to the Master Contractor / Services Agreement (the "Agreement") dated February 7, 2017, by and between City of Delray Beach, a municipal corporation of the State of Florida ("City"), and M & M Asphalt Maintenance, Inc. d/b/a All County Paving, Inc. ("Contractor"), a Florida Corporation, is entered into this 29<sup>th</sup> day of June, 2017.

WITNESSETH:

**WHEREAS**, on February 7, 2017, City entered into an Agreement with Contractor for road restoration services. The term of the Agreement was from February 7, 2017 through May 31, 2017, with the option to renew for two, one-year extensions;

**WHEREAS**, the City desires to continue to procure these products and services from Contractor utilizing existing contract prices provided to the City of Sunrise pursuant to its solicitation number 15-17-02-MS, "Road Restoration Services" conducted in 2015;

**WHEREAS**, in accordance with solicitation number 15-17-02-MS, the City of Sunrise entered into a two-year agreement with Contractor for products and services effective June 1, 2015 through May 31, 2017, which contained an option to renew for two, one-year extensions;

**WHEREAS**, in accordance with solicitation number 15-17-02-MS, the City of Sunrise exercised their first option to renew on May 4, 2017, for a period of one year from June 1, 2017 through May 31, 2018;

**WHEREAS**, the Contractor agrees to continue to extend the terms, conditions, and pricing of solicitation number 15-17-02-MS to the City, subject to the terms and conditions of the Agreement; and

**WHEREAS**, the City Commission of the City of Delray Beach determines that it is in the best interest of the City to approve this Amendment to retroactively renew this Agreement for one year commencing on June 1, 2017 through May 31, 2018.

**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 Agreement is amended as follows:

1. The above recitals are true and correct and are incorporated herein.
2. This Amendment No. 1 retroactively extends the Agreement, under the same terms and conditions, for the period of June 1, 2017 through May 31, 2018.

3. Section 3 of the Master Contract/Services Agreement is hereby amended as follows:

3 This Agreement shall terminate on May 31, 20172018, unless renewed by the City of Sunrise and City.

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 and this Amendment No. 1 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 Agreement as of the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH

Katerri Johnson  
Katerri Johnson, City Clerk

By: Cary D. Glickstein  
Cary D. Glickstein, Mayor

Approved as to form and legal sufficiency:

R. Max Lohman  
R. Max Lohman, City Attorney

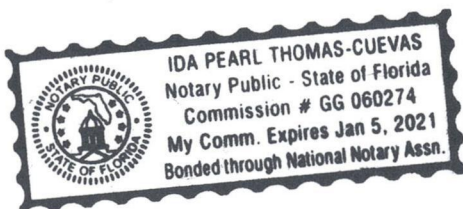
CONTRACTOR/

By: Kenneth Goldberg  
Print Name: Kenneth Goldberg  
Title: President

(SEAL)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 26th day of May, 2017, by Kenneth Goldberg as President (name of officer or agent, title of officer or agent), of M+M Asphalt Maintenance (name of corporation acknowledging), a FL (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.



Ida P. Thomas-Cuevas  
Notary Public – State of Florida