

**AMENDMENT TO ADDENDUM AGREEMENT #11448**  
**BETWEEN ALACHUA COUNTY AND KIMLEY-HORN AND ASSOCIATES, INC**

THIS **FIRST** AMENDMENT TO ADENDUM AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2020, by and between Alachua County, a charter county and political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as "County", and **Kimley-Horn and Associates, Inc.**, hereinafter referred to as "**Consultant**". Hereinafter, the County and the Consultant shall be collectively referred to herein as the "Parties".

**WITNESSETH:**

**WHEREAS**, the Consultant entered into the Agreement for Consultant Services, dated May 26, 2015 (the "Agreement") with the City of Venice, Florida, to provide Land Use Planning services including providing support services for developing amendments to the ULDC; and

**WHEREAS**, pursuant to Section 22.11 (15) of the Alachua County Procurement Code the County and Consultant agreed to the terms and conditions contained in the Agreement, except as modified by the *Addendum Agreement for Consulting Services between Alachua County and Kimley-Horn and Associates, Inc.*, dated November 12, 2019, (the "Addendum") through which the Consultant provides support services for developing amendments to the County's ULDC.

**WHEREAS**, the Parties desire to amend the Addendum to increase the lump sum payment to the Consultant from \$178,500.00 to \$192,750 to allow for additional services and to add a provision to the Addendum to allow for Electronic Signatures,

**NOW, THEREFORE**, the parties hereby agree to amend the Addendum as follows:

**A. Section #5, Electronic Signatures**, is hereby added to the Addendum and reads as follows:

The Parties agree that an electronic version of this Agreement shall have the same legal effect and enforceability as a paper version. The Parties further agree that this Agreement, regardless of whether in electronic or paper form, may be executed by use of electronic signatures. Electronic signatures shall have the same legal effect and enforceability as manually written signatures. The County shall determine the means and methods by which electronic signatures may be used to execute this Agreement and shall provide the Contractor with instructions on how to use said method. Delivery of this Agreement or any other document contemplated hereby bearing an manually written or electronic signature by facsimile transmission (whether directly from one facsimile device to another by means of a dial-up connection or whether mediated by the worldwide web), by electronic mail in "portable document format" (".pdf") form, or by any other electronic means intended to preserve the original graphic and pictorial appearance of a document, will have the same effect as physical delivery of the paper document bearing an original or electronic signature.

**B.** SECTION #2, of Attachment A of the Addendum, **Alachua County Work Assignment Pursuant to the Addendum between the County and Kimley-Horn and Associates, Inc,** is amended in its entirety to read:

2 The County shall pay the consultant a lump sum payment of \$192,750 for performance of the professional services specified in this Work Assignment payable in accordance with the deliverable tasks contained in Exhibit "A", which includes up to three Board of County Commissioners meetings billed under Additional Services.

**C.** This First Amendment shall take effect upon the date of execution by the Parties.

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**D. SAVE and EXCEPT** as expressly amended herein, all other terms and provisions of the original Addendum between the parties shall be and remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have caused this **First** Amendment to the Addendum to be executed for the uses and purposes therein expressed on the day and year first above-written.

**ALACHUA COUNTY, FLORIDA**

By: \_\_\_\_\_

Robert Hutchinson, Chair  
Board of County Commissioners

Date: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM



\_\_\_\_\_  
J.K. "Jess" Irby, Esq. Clerk

\_\_\_\_\_  
Alachua County Attorney's Office

(SEAL)

**Consultant**

ATTEST

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**INCORPORATED OR ARE OTHERWISE NOT A NATURAL PERSON, PLEASE PROVIDE A CERTIFICATE OF INCUMBANCY AND AUTHORITY, OR A CORPORATE RESOLUTION, LISTING THOSE AUTHORIZED TO EXECUTE CONTRACTS. IF A NATURAL PERSON, THEN YOUR SIGNATURE SHOULD BE NOTARIZED. SAMPLE FORMATS FOR NOTARY ARE AVAILABLE ON THE INTRANET UNDER THE PURCHASING/PROCUREMENT SECTION.**