



MIAMI-DADE EXPRESSWAY AUTHORITY

3790 N.W. 21 St. Miami, FL 33142

www.mdxway.com

**SUPPLEMENTAL AGREEMENT NO. 1
TO
PROFESSIONAL SERVICES AGREEMENT**

MDX Procurement/Contract No.: RFQ-17-04(A)
MDX Work Program Nos.: N/A
MDX Project/Service Title: LEGAL SERVICES SUPPORT – EMINENT DOMAIN

THIS SUPPLEMENTAL AGREEMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT (as “SA#1”) is made and entered into this 5TH day of September, 2017 (the “Effective Date”), by and between the **MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY d/b/a MIAMI-DADE EXPRESSWAY AUTHORITY** (as “MDX”), a body politic and corporate, a public instrumentality and an agency of the State of Florida, created under the Florida Expressway Authority Act, Part I of Chapter 348, Florida Statutes, acting by and through its Governing Board, and **WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.** (as the “Consultant”), a corporation duly organized and existing under the laws of Florida, F.E.I.N. 20-8112403 (collectively, referred to herein as the “Parties” to this SA#1).

WITNESSETH

WHEREAS, pursuant to MDX Procurement/Contract No. RFQ-17-04, MDX competitively procured for Legal Services Support – Eminent Domain (the “Services”), and subsequently entered into a Professional Services Agreement with the Consultant on April 1, 2017 to perform the Services (the “Agreement” or “Contract”); and

WHEREAS, MDX now wishes to include a procedure for the Consultant to use the services of certain professionals as independent experts;

NOW THEREFORE, in accordance with §8.3 *Approval Authority of Agreements and Supplemental Agreements* of the *MDX Procurement Policy in effect as of October 27, 2015* (publicly available on the MDX website: www.mdxway.com and incorporated herein by reference and made a part hereof) and in consideration of the mutual promises and covenants contained herein, and for such other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. The foregoing recitations are true and correct and are incorporated herein by reference.
2. Section 11 of the Agreement entitled *Consultant, Subconsultants, and Employees* is hereby amended as follows:

MDX Procurement/Contract No.: RFQ-17-04(A)
MDX Work Program Nos.: N/A
MDX Project/Service Title: LEGAL SERVICES SUPPORT – EMINENT DOMAIN

- Section 11 is hereby renamed *Consultant, Subconsultants, Independent Experts, and Employees*
- A brand new Subsection 11.7 is hereby included to read as follows:

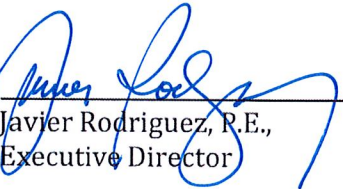
11.7 Independent Experts

The Consultant may utilize the services of professionals in various industries to serve as independent experts as may be necessary for the Services (the "Independent Experts"). The Independent Experts are not Subconsultants to the Consultant and provide the required expertise in an unbiased and objective manner. When the need to utilize an Independent Experts arises, the Consultant shall follow the steps described in Section 11.3 of the Agreement using the Request for Approval of Independent Expert form.

3. The *Request for Approval of Independent Expert* form is hereby attached as Exhibit A to this SA #1.
4. The defined terms used herein, unless otherwise defined in this SA#1, shall have the meanings ascribed to them in the Contract Documents.
5. Except as expressly provided herein, all of the terms, conditions, covenants, agreements and understandings contained in the Contract Documents shall remain unchanged and in full force and effect, and the same are hereby expressly ratified and confirmed by the Parties.
6. This SA#1 shall not alter or change in any manner the force and effect of the Contract except insofar as the same is altered and amended by this SA#1. Wherever the terms of this SA#1 and the terms of the Contract Documents are in conflict, the terms of this SA#1 shall govern and control.

IN WITNESS WHEREOF, the Parties have caused this SA#1 to be executed by their respective and duly authorized officers as of the Effective Date set forth herein.

MIAMI-DADE EXPRESSWAY AUTHORITY

By: 
Javier Rodriguez, P.E.,
Executive Director

**WEISS SEROTA HELFMAN COLE &
BIERMAN, P.L.**

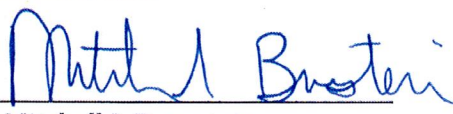
By: 
Mitchell J. Burnstein
Member

Exhibit A Request for Approval of Independent Expert Form



REQUEST FOR APPROVAL OF INDEPENDENT EXPERT

Consultant will continue to perform the minimum percentage of Services with its own organization, as required by said Contract. It is recognized and agreed that the undersigned Consultant remains responsible for the proper performance of all requirements of said Contract.

The Consultant hereby certifies that it has confirmed the Independent Expert is available and free of conflict of interest to provide the Services.

I will insure the Independent Expert's compliance with industry standards under which the Services is performed.

_____	_____
Authorized Signatory	Title
_____	_____
Print Name	Date

This form must be accompanied by all applicable required documentation listed herein.

LIST OF REQUIRED DOCUMENTATION ATTACHED AS APPLICABLE:

- | | | |
|------------------------------|------------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> N/A | Sworn Statement on Public Entity Crimes |
| <input type="checkbox"/> Yes | <input type="checkbox"/> N/A | Small Business and/or Local Business Certifications |
| <input type="checkbox"/> Yes | <input type="checkbox"/> N/A | All required documentation to demonstrate Independent Expert is qualified/licensed/registered/certified to provide the proposed Services |
| <input type="checkbox"/> Yes | <input type="checkbox"/> N/A | Letter with proposed staff billing rates. |

RECOMMENDED FOR APPROVAL BY GEC:		<input type="checkbox"/> YES	<input type="checkbox"/> NO
Authorized Signatory:			
Print Name:			
Date:			
APPROVED BY MDX PROCUREMENT:		<input type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE: ALL CHANGES TO CONSULTANT'S SMALL BUSINESS PARTICIPATION AND/OR LOCAL BUSINESS PARTICIPATION MUST FIRST BE APPROVED BY THE MDX PROCUREMENT DEPARTMENT.			
Authorized Signatory:			
Print Name:			
Date:			
APPROVED BY MDX CONTRACT MANAGER:		<input type="checkbox"/> YES	<input type="checkbox"/> NO
Authorized Signatory:			
Print Name:			
Date:			