



MIAMI-DADE EXPRESSWAY AUTHORITY

3790 NW 21 St. Miami, FL 33142

## SUPPLEMENTAL AGREEMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT

MDX PROCUREMENT/CONTRACT NO.: RFQ-17-04(B)

MDX WORK PROGRAM NOS.: N/A

MDX PROJECT/SERVICE TITLE: LEGAL SERVICES SUPPORT – PUBLIC PROCUREMENT/CONTRACTS

THIS SUPPLEMENTAL AGREEMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT (as "SA #3") is made and entered into this 8th day of February 2023 (the "Effective Date"), by and between the *Miami-Dade County Expressway Authority d/b/a as Miami-Dade Expressway Authority* (the "Authority" or "MDX"), a body politic and corporate, a public instrumentality created by the Board of County Commissioners of Miami-Dade County as amended, acting by and through its Governing Board, and *De Leon & De Leon, P.A.* (as "THE LAW FIRM"), a *Florida* corporation duly organized and existing under the laws of the state of Florida with its principle place of business located at *Courthouse Tower, 44 West Flagler Street, Suite 2250, Miami, Florida 33130* and duly authorized to transact business in the State of Florida, *F.E.I.N. 65-0739063*, (collectively, referred to herein as the "Parties" to this SA #3).

### WITNESSETH

WHEREAS, MDX competitively procured for all Services necessary to provide *Legal Services Support – Public Procurement/Contracts* (the "Services"), and subsequently on *April 3, 2017* entered into a Professional Services Agreement for MDX Procurement/Contract No. *RFQ-17-04(B)* with THE LAW FIRM to perform the Services (the "Agreement" or "Contract"); and

WHEREAS, WHEREAS, on *May 3, 2019* the Parties entered into *Supplemental Agreement No. 1* to expand the Method of Compensation to include compensation for litigation related services ("Litigation Services"); and

WHEREAS, the term of the Agreement is for three (3) years with an option to extend for up to two (2) years and the Parties wish to exercise the extension period allowed for in the Agreement.

WHEREAS, on *June 7, 2021*, the Parties entered into *Supplemental Agreement No. 2* to exercise the extension period allowed for in the Agreement to extend the Agreement until *May 28, 2023*; and

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Initials (THE LAW FIRM)

**WHEREAS**, although the contractually available extension(s) have been exhausted pursuant to the original Agreement, MDX will be re-procuring legal services in the future as stated below in Clause #2. In order to ensure no disruption in providing the Services the Parties wish to further extend the Agreement.

**NOW THEREFORE**, in accordance with §8.3 *Approval Authority of Agreements and Supplemental Agreements* of the *MDX Procurement Policy* 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. The Agreement is hereby extended for one (1) year until ***May 28, 2024*** or through ***re-procurement of a new contract***.
3. The defined terms used herein, unless otherwise defined in this SA #3, shall have the meanings ascribed to them in the Contract Documents.
4. 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.
5. This SA #3 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 #3. Wherever the terms of this SA #3 and the terms of the Contract Documents are in conflict, the terms of this SA #3 shall govern and control.

[SIGNATURES ON NEXT PAGE]




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IN WITNESS WHEREOF, the Parties have caused this SA #3 to be executed by their respective and duly authorized officers as of the Effective Date set forth herein.

MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY      DE LEON & DE LEON, P.A.

By:   
Darlene M. Fernandez, P.E.  
Executive Director

By:   
Signature of Authorized Office

KIRK DE LEON, V.P.  
Print Name & Title of Authorized Officer