

**CITY OF NORTH MIAMI  
FIFTH OPTION TO RENEW  
PROFESSIONAL SERVICES AGREEMENT EXTENSION  
(RFQ18-07-08 AGENT OF RECORD)**

**THIS FIFTH OPTION TO RENEW PROFESSIONAL SERVICES AGREEMENT** (“Fifth Option Agreement”) is made and entered into this 10<sup>th</sup> day of September, 2018, by and between the **City of North Miami**, a Florida municipal corporation, located at 776 NE 125<sup>th</sup> Street, North Miami, FL (“City”) and **Sapoznik Insurance & Associates, LLC**, a limited liability company organized and existing under the laws of the State of Florida, having its principal office at 1100 NE 163<sup>rd</sup> Street, 2<sup>nd</sup> Floor, North Miami Beach, FL 33162 (“Contractor”). The City and Contractor shall collectively be referred to as the “Parties”.

**RECITALS**

**WHEREAS**, on January 13, 2009, the City entered into an agreement with Contractor (“Agreement”) for the provision of Agent of Record Insurance Services for City employee’s benefits plan (“Services”), in accordance with the terms, conditions and specifications contained in the City’s *Request for Qualifications # 18-07-08, Agent of Record Services for City’s Employee Benefits Plans* (“RFQ”); and

**WHEREAS**, the initial term of the Agreement was five (5) years from the date specified in the City’s Notice to Proceed; and

**WHEREAS**, upon completion of the initial term, the City had the option to renew the Agreement for five (5) additional one-year terms, with the written consent of the Parties.

**WHEREAS**, the fourth one (1) year renewal term expires on December 31, 2018; and

**WHEREAS**, the City did not exercise the fifth and final option to renew the Agreement for one (1) year, opting to issue a solicitation for the agent of record services; and

**WHEREAS**, on May 25, 2018, the City issued “**RFP No. 54-17-18 Agent of Record for Employee Benefits Program**” seeking proposals from experienced and qualified firms.

**WHEREAS**, at the August 28, 2018 City Council Meeting, the Mayor and Council voted 5-0 to reject staff’s recommendation presented for **RFP No 54-17-18**, issue a new solicitation and extend the existing contract with Sapoznik for an additional one (1) year term, commencing on January 1, 2019 and concluding on December 31, 2019; and

**WHEREAS**, the Mayor and City Council determined that it was in the best interest of the City of North Miami for staff to proceed with a new RFP for the January 1, 2020 to December 31, 2020 term;

**NOW THEREFORE**, in consideration of the mutual promises and covenants set forth herein and other good and valuable consideration, the Parties hereto agree as follows:

1. The City hereby extends the Agreement for Agent of Record Services for the Employee Benefits Plans for the one (1) year term commencing January 1, 2019, through December 31, 2019.
2. The Contractor hereby accepts the City's option to extend this Agreement for the provision of Services, for the one (1) year term commencing January 1, 2019, through December 31, 2019.
3. The City shall have no options to renew the Agreement remaining.
4. The Contractor agrees to provide Services in accordance with the terms, conditions and specifications contained in the Contract Documents at the reduced commission rate of 3.5%. Additionally, both parties mutually agree that the City shall have the option to administer and exercise full control of all wellness dollars appropriated by the City's insurance provider, if it so chooses at a later date.
5. The Parties agree that this Fifth one (1) year Option Agreement shall be made part of the Agreement previously executed by the Parties, attached hereto as Exhibit "A".
6. No modification or amendment hereto shall be valid unless in writing and executed by properly authorized representatives of the Parties.
7. This Fifth one (1) year Option Agreement shall be binding upon the Parties hereto, their successors in interest, heirs, executors, assigns and personal representatives.
8. All other terms of the Agreement, which have not been modified by this Fifth one (1) year Option Agreement, shall remain in full force and effect.

*[The remainder of this page is intentionally left blank.]*

IN WITNESS WHEREOF, the Parties have executed this Agreement by their respective proper officers duly authorized the day and year first written above.

ATTEST:

Sapoznik Insurance & Associates, LLC, a Florida limited liability company:

Corporate Secretary or Witness:

“Contractor”

By: Kenneth Nahman

By: Andrew Goodman

Print Name: KENNETH NAHMAN

Print Name: ANDREW GOODMAN

Title: CFO

Title: V.P.

Date: 9/17/18

Date: 9/17/18

ATTEST:

City of North Miami, a Florida municipal Corporation: “City”

By: [Signature]  
Michael A. Etienne, Esq.  
City Clerk

By: [Signature]  
Larry M. Spring, Jr.  
City Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: [Signature]  
Jeff P.H. Cazeau, Esq.  
City Attorney