



Pinellas County

Staff Report

File #: 20-485D, **Version:** 1 **Approved by B. Burton, CA - 5/19/2020** **Agenda Date:** 6/30/2020

Subject:

First Amendment to the Agreement with Bryant Miller Olive P.A. for Bond Counsel services.

Recommended Action:

Approval and execution by the County Administrator of the First Amendment to the Agreement with Bryant Miller Oliver P.A. (BMO) for bond counsel services.

- This contract provides legal representation on behalf of the County for bond counsel services and public financing matters as directed by the County Attorney on an as needed basis.
- The First Amendment extends the contract for five years through September 30, 2025.
- An increase to the contract is not required as unused funds from the original Agreement will be carried forward.
- On May 24, 2016 the Board of County Commissioners approved the award of this contract.

Contract No.145-0293-P(LN) in the amount of \$500,000.00 through September 30, 2025 for an estimated annual expenditure of \$55,555.56 over nine years. This amendment has no fiscal impact on the contract value originally awarded in 2016 as sufficient funding remains on the contract.

Strategic Plan:

Deliver First Class Services to the Public and Our Customers

5.2 Be responsible stewards of the Public's Resources

Summary:

Approval of this amendment extends the contract five (5) years through September 30,2025. The original agreement expires September 30, 2020 and contains two (2) twelve (12) month term extensions. This amendment modifies the term extension to a five (5) year term. BMO is a well experienced firm that has served the County well and extending the contract five (5) years is judicious.

Background/Explanation:

The Board of County Commissioners approved the award on May 24, 2016.

This contract provides guidance for concerns that arise related to state law and federal tax matters, renders opinions on outstanding bond issues, and prepares revenue ruling requests from the United States Internal Revenue Service

Fiscal Impact:

This amendment has no fiscal impact on the contract value originally awarded in 2016.

Total estimated expenditure not to exceed: \$500,000.00

Estimated annual expenditure: \$ 55,555.56

Funding is anticipated to be derived from Sewer Revenue Operating Fund, Water and Sewer Administration Center, Sewer Program, or other cost centers for which bonds are issued.

Delegated Authority:

Authority for the County Administrator to approve and execute this First Renewal and Amendment is granted under Code Section 2-62 (a)(2).

Staff Member Responsible:

Jewel White, County Attorney

Don Crowell, Chief Assistant County Attorney

Merry Celeste, Division Director, Risk Management and Purchasing, Administrative Services

Partners:

N/A

Attachments:

First Amendment

FIRST AMENDMENT

This Amendment made and entered into this 20 day of May, 2020, by and between Pinellas County, a political subdivision of the State of Florida, hereinafter referred to as "County," and Bryant Miller Olive, PA, Tampa, FL hereinafter referred to as "Contractor," (individually referred to as "Party", collectively "Parties").

WITNESSETH:

WHEREAS, the County and the Contractor entered into an agreement on May 24, 2016, pursuant to Pinellas County Contract No.145-0293-P (LN) (hereinafter "Agreement") pursuant to which the Contractor agreed to provide Bond Counsel Services for County; and

WHEREAS, Section Twelve (12) of the Agreement permits modification by mutual written agreement of the parties; and

WHEREAS, the County and the Contractor now wish to modify the Agreement in order to provide for a five (5) year time extension, at the same prices, terms, and conditions;

NOW THEREFORE, the Parties agree that the Agreement is amended as follows:

1. The term of the Agreement is hereby extended for five (5) years at the same prices, terms and conditions.
2. Section 3 of the Agreement is amended to read, "The term of this Agreement shall begin on May 24, 2016, and remain in full force and effect until September 30, 2025, unless otherwise terminated or extended as provided herein.
3. Except as changed or modified herein, all provisions and conditions of the original Agreement and any amendments thereto shall remain in full force and effect.

Each Party to this Amendment represents and warrants that: (i) it has the full right and authority and has obtained all necessary approvals to enter into this Amendment; (ii) each person executing this Amendment on behalf of the Party is authorized to do so; (iii)

this Amendment constitutes a valid and legally binding obligation of the Party, enforceable in accordance with its terms.

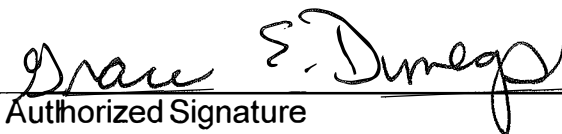
IN WITNESS WHEREOF the Parties herein have executed this First Amendment as of the day and year first written above.

PINELLAS COUNTY, FLORIDA
by and through its County
Administrator



Barry A. Burton, County Administrator

CONTRACTOR:



Authorized Signature

Grace E. Dunlap

Printed Authorized Signature

Managing Shareholder

Title Authorized Signature

APPROVED AS TO FORM

Donald S. Crowell, Chief Asst. County Attorney: APPROVED AS TO FORM

By: Don S. Crowell
OFFICE OF THE COUNTY ATTORNEY