

**FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF FORT
LAUDERDALE AND MARATHON HEALTH, INC., FOR EMPLOYEE HEALTH
CENTER/CLINIC ADMINISTRATION**

THIS FIRST AMENDMENT to Agreement between the City of Fort Lauderdale and Marathon Health, Inc., for Employee Health Center/Clinic Administration, made and entered into on the _____ day of _____, 2015, is by and between the City of Fort Lauderdale, a Florida municipality, ("City"), whose address is 100 North Andrews Avenue, Fort Lauderdale, FL 33301-1016, and Marathon Health, Inc., a Delaware corporation authorized to transact business in the State of Florida, ("Contractor"), whose address is 20 Winooski Falls Way, Suite 400, Winooski, VT 05404.

WHEREAS, the City and the Contractor entered into an Agreement between the City of Fort Lauderdale and Marathon Health, Inc., for Employee Health Center/Clinic Administration, dated December 5, 2012, ("Contract"),

NOW, THEREFORE, the City and the Contractor hereby agree as follows:

1. The provision contained in Paragraph 7 of Part III of Exhibit A of the Contract, requiring the Contractor to submit a request for cost adjustment at least ninety days prior to the contract anniversary date, is waived solely for the purpose of this First Amendment to Agreement between the City of Fort Lauderdale and Marathon Health, Inc., for Employee Health Center/Clinic Administration.

2. In *lieu* of the cost amount set forth in the Contract, for the period October 4, 2015, through April 3, 2016, the City agrees to pay the Contractor \$441,682.44, divided in equal monthly installments, for services performed pursuant to the Contract.

IN WITNESS WHEREOF, the City and the Contractor execute this First Amendment to Agreement between the City of Fort Lauderdale and Marathon Health, Inc., for Employee Health Center/Clinic Administration as follows:

ATTEST:

Jeffrey A. Modarelli, City Clerk

CITY OF FORT LAUDERDALE

By: _____
John P. "Jack" Seiler, Mayor

By: _____
Lee R. Feldman, City Manager

Approved as to form:

Senior Assistant City Attorney

ATTEST:

Marathon Health, Inc.

Scott Laplant, Secretary

By: _____
Jerry Ford, Chief Executive Officer

(Corporate Seal)

STATE OF _____:
COUNTY OF _____:

The foregoing instrument was acknowledged before me this ____ day of _____, 2015, by Jerry Ford as Chief Executive Officer for Marathon Health, Inc., a Delaware corporation authorized to transact business in the State of Florida.

(SEAL)

Notary Public, State of _____
(Signature of Notary Public)

(Print, Type, or Stamp Commissioned Name
of Notary Public)

Personally Known ____OR Produced Identification ____
Type of Identification Produced _____