



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

④ ✓ 4/6/17

Today's Date: 03/29/2017

DOCUMENT TITLE: BURTON & ASSOCIATES, INC. AND STANTEC CONSULTING SERVICES INC. - CONSENT TO ASSIGNMENT OF CONTRACT REGARDING FOLLOWING: (1) CANAL DREDGING RATE STUDY (1 ORIGINAL), (2) SANITATION RATE STUDY (1 ORIGINAL), (3) INTEGRATED FINANCIAL SUSTAINABILITY ANALYSIS CONSULTANT SERVICES (1 ORIGINAL) AND (4) STORMWATER RATE STUDY (1 ORIGINAL)

COMM. MTG. DATE: 03/07/2017 CAM #: 17-0260 ITEM #: PUR-7 CAM attached: ☒ YES ☐ NO

Routing Origin: CAO Router Name/Ext: J. Larregui/5106 Action Summary attached: ☒ YES ☐ NO

CIP FUNDED: ☐ YES ☒ NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept: Procurement Router Name/Ext: L. Blanco/5141 # of originals routed: 4 Date to CAO: 3/29/2017

2) City Attorney's Office: Documents to be signed/routed? ☒ YES ☐ NO # of originals attached: 4

Is attached Granicus document Final? ☒ YES ☐ NO Approved as to Form: ☒ YES ☐ NO

Date to CCO: 4/3/17

Rhonda Montoya Hasan
Attorney's Name

DMH
Initials

3) City Clerk's Office: # of originals: 4 Routed to: Gina Ri/CMO/X5013 Date: 4/3/17

4) City Manager's Office: CMO LOG #: Apr 2 Document received from: 4/3/17

Assigned to: L. FELDMAN ☒ S. HAWTHORNE ☐ C. LAGERBLOOM ☐
L. FELDMAN as CRA Executive Director ☐

☐ APPROVED FOR LEE FELDMAN'S SIGNATURE ☐ N/A FOR L. FELDMAN TO SIGN

PER ACM: S. HAWTHORNE _____ (Initial/Date) C. LAGERBLOOM _____
(Initial/Date) ☐ PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward ___ originals to ☐ Mayor ☒ CCO Date: 4/4/17

5) Mayor/CRA Chairman: Please sign as indicated. Forward ___ originals to CCO for attestation/City seal (as applicable) Date: _____

6) City Clerk's Office: Retains 1 Original (of each Assignment) and forwards 1 copy (of each assignment) to: L. Blanco/Procurement/5141

Attach ___ certified Reso # 17- ☐ YES ☒ NO

Original Route form to CAO/J. Larregui

Rev. 12/22/16

CONSENT TO ASSIGNMENT OF CONTRACT

This is a **CONSENT TO ASSIGNMENT OF CONTRACT** for **Canal Dredging Rate Study**, entered into on March 7, 2017, among:

CITY OF FORT LAUDERDALE,
a municipal corporation of the State of Florida, ("City")

and

Burton & Associates, Inc.,
an administratively dissolved Florida corporation, ("Assignor")

and

Stantec Consulting Services Inc.,
a New York corporation authorized to transact business in
the State of Florida, ("Assignee")

WHEREAS, the City of Fort Lauderdale, ("City"), and Burton & Associates, Inc., an administratively dissolved Florida corporation, ("Assignor") entered into an agreement for Canal Dredging Rate Study, Contract No. 463-11758, dated November 14, 2016 ("Contract"); and

WHEREAS, Stantec Consulting Services Inc., a New York corporation authorized to transact business in the State of Florida, ("Assignee"), has purchased the Burton & Associates, Inc. via a purchase acquisition of same; and

WHEREAS, Assignor wishes to assign their contracts for City Canal Dredging Rate Study to Assignee;

NOW THEREFORE, In consideration of the mutual promises, covenants and agreements, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. The foregoing recitals are correct and are incorporated into this Consent to Assignment of Contract.
2. City does hereby consent to an Assignment of the Contract from Assignor to Assignee.
3. Assignor and Assignee acknowledge and agree that the Contract shall control, and Assignee assumes and agrees to perform all of the Assignor's duties, obligations, and responsibilities under the Contract despite any provision which is or may appear to be contrary in the assignment between Assignor and Assignee.
4. By the consent and approval contained in this document, City relies upon the representations of Assignor and Assignee that no other person, natural, corporate or otherwise,

will be adversely affected by the consent and approval contained in this document. In the event of a claim by any such third person that City's Consent to Assignment of Contract adversely affects any such person, Assignee agrees to indemnify and hold harmless City completely from any such claim and shall provide City a complete legal defense for any such claim, at no cost or expense whatsoever to City.

5. The Assignor understands and agrees that its obligations under the Contract continue and do not expire or terminate as a result of this Consent.

[Remainder of page intentionally left blank]

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

WITNESSES:

CITY:

THE CITY OF FORT LAUDERDALE,
a municipal corporation of the State of Florida

Cynthia Rizzuti Smith

Witness
Print Name: *Cynthia Rizzuti Smith*

Lee R. Feldman

By: _____
Lee R. Feldman, City Manager

Witness
Print Name: _____

ATTEST: *Jeffrey A. Modarelli*

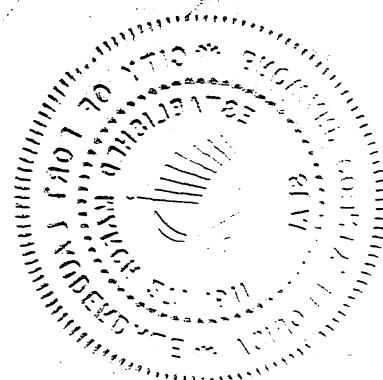
Jeffrey A. Modarelli, City Clerk



APPROVED AS TO FORM
Cynthia A. Everett, City Attorney
Cynthia A. Everett

Rhonda Montoya-Hasan, Assistant City Attorney

[Signatures continue on following page]



WITNESSES:

Peter Napoli
Witness
Print Name: Peter Napoli

Eric Gran
Witness
Print Name: ERIC GRAN

(CORPORATE SEAL)

ASSIGNOR:

BURTON & ASSOCIATES, INC.,
a Florida corporation

By: Michael E. Burton
Michael E. Burton, President

STATE OF FLORIDA

COUNTY OF BROWARD

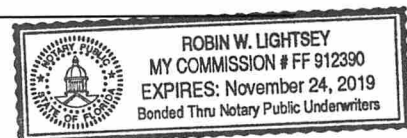
The foregoing instrument was acknowledged before me this 23rd day of March, 2017, by Michael E. Burton, formerly as President of Burton & Associates, Inc., an administratively dissolved Florida corporation.

He is (☒) personally known to me or (☐) has produced _____ as identification.

Robin W. Lightsey
NOTARY PUBLIC, State of Florida

Print Name
My Commission expires: _____
Serial No.: _____

(SEAL)



[Signatures continue on following page]

[Handwritten signature]



WITNESSES:

P. Gayle Horton
Witness
Print Name: P. Gayle Horton

[Signature]
Witness
Print Name: David T. Archer

(CORPORATE SEAL)

ASSIGNEE:

STANTEC CONSULTING SERVICES INC.,
a New York corporation authorized to transact
business in the State of Florida

By: [Signature]
Name: Jeffrey P. Stone
Title: Director/Assistant Secretary/Vice President



STATE OF NEW YORK:

COUNTY OF MONROE:

The foregoing instrument was acknowledged before me this 20th day of March, 2017, by Jeffrey P. Stone as Director/Assistant Secretary of Stantec Consulting Services Inc., a New York corporation authorized to transact business in the State of Florida.

He (☒) is personally known to me or () produced _____ as identification.

[Signature]
NOTARY PUBLIC, State of New York

Print Name _____
My Commission expires: _____
Serial No.: _____

(SEAL)

MONIQUE FRANCES MARCHIONI
Notary Public, State of New York
Monroe County
Commission Expires February 19, 2018



Commission Expires February 19, 20__
Monroe County
New York State of New York
RICHARD E. FRANKS, MAJORITY