

### **THIRD AMENDMENT**

**THIS IS A THIRD AMENDMENT TO THE AGREEMENT** dated the \_\_\_\_\_ day  
of \_\_\_\_\_ 2018, between:

**CITY OF POMPANO BEACH**, a municipal corporation of the  
State of Florida, whose address is 100 West Atlantic Boulevard,  
Pompano Beach, Florida 33060, hereinafter referred to as "CITY,"

and

**RIGHT CHOICE VENDING/COFFEE, LLC**, a Florida  
corporation, having its office and place of business at 1440 SW 31<sup>st</sup>  
Avenue, Pompano Beach, FL 33069 hereinafter referred to as "RCV."

**WHEREAS**, the CITY and P-Americas, LLC, hereinafter referred to as "P-Americas,"  
entered into an Agreement dated April 14, 2014, which was authorized by City of Pompano Beach  
Resolution No. 2014-190, (the "Vending Agreement") wherein P-Americas was to supply vending  
services to the CITY; and

**WHEREAS**, the parties entered into a Consent to Assignment and First Extension of  
vending agreement with Right Choice Vending/Coffee, LLC on March 25, 2016, approved by City  
Resolution No. 2016-148; and

**WHEREAS**, the parties entered into a Second Amendment to the Original Agreement on  
April 17, 2017, approved by City Resolution No. 2017-216; and

**WHEREAS**, the CITY and RCV have agreed to extend the Original Agreement for one (1)  
additional one-year period.

### **WITNESSETH:**

**IN CONSIDERATION** of the mutual terms, conditions, promises, covenants and payments  
herein set forth CITY and RCV agree as follows:

1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated  
by this reference.

2. The original Agreement between CITY and RCV, dated April 14, 2014, a copy of which is attached hereto and made a part hereof as Exhibit "A", subsequently amended on March 25, 2016, and April 17, 2017, shall remain in full force and effect except as specifically amended herein below.

3. The parties hereto agree to extend the original Agreement for one (1) additional one-year period, ending April 13, 2019.

4. This Agreement shall bind the parties and their respective executors, administrators, successors and assign and shall be fully effective as though the extension had been originally included in the Agreement.

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IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

**"CITY":**

Witnesses:

**CITY OF POMPANO BEACH**

\_\_\_\_\_

By: \_\_\_\_\_  
LAMAR FISHER, MAYOR

\_\_\_\_\_

By: \_\_\_\_\_  
GREGORY P. HARRISON, CITY MANAGER

Attest:

(SEAL)

\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

Approved As To Form:

\_\_\_\_\_  
MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by **LAMAR FISHER** as Mayor, **GREGORY P. HARRISON** as CITY Manager and **ASCELETA HAMMOND** as CITY Clerk of the CITY of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

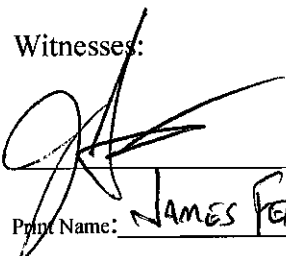
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

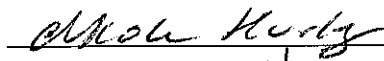
\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

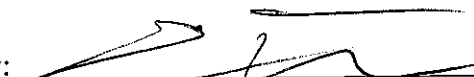
**"RCV":**

Witnesses:

  
Print Name: JAMES FERRARO

  
Print Name: NICOLE HURLEY

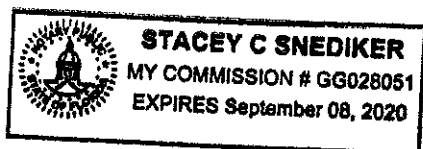
RIGHT CHOICE VENDING/COFFEE, LLC a  
Florida Limited Liability Company


By:   
Elie Tornheim, Authorized Member

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 28 day of MARCH, 2018, by Elie Tornheim as Authorized Member of Right Choice Vending/Coffee, LLC, a Florida Limited Liability Company, on behalf of the company. He is personally known to me or who has produced \_\_\_\_\_ (type of identification) as identification.

NOTARY'S SEAL:



  
NOTARY PUBLIC, STATE OF FLORIDA  
Stacey C Snediker  
(Name of Acknowledger Typed, Printed or Stamped)

Commission Number \_\_\_\_\_