CONTRACT ROUTING FORM

**NOTE: CITY ATTORNEY MUST REVIEW CONTRACTS BEFORE SUBMISSION TO CITY COUNCIL

SURMITTED BY:	Jessi	ca Hull	DATE:	1/2/2018
SERVICE AREA/U	JNIT:	Hur	man Resources	
CONTRACTOR:	CTOR: Flores & Associates			
PURPOSE:	Renewal of contract for employee benefits including FSA & HRA			
CONTRACT TYPE				
✓ SERVICES				
MATERIALS	S/CONSTRUCTIO	ON		
	С	HANGE ORDE	R/AMENDMENT	
	С	HANGE AMOU	NT: \$	
OTHER:				
CONTRACT AMOUNT: \$			\$130,000	
RESOLUTION RE	QUIRED:	YES NUM	BER:R-17-45	7
		NO PROJ	ECT MEMO ATTA	ACHED
SIGNATURES: P (IN ORDER)	LEASE MARK P	AGES REQUIRED	SIGNED	DATE SIGNED
CON	ITRACTOR	\checkmark		
SER	VICE AREA			
CITY	/ ATTORNEY	\checkmark		1-3-17
CITY	/ ADMINISTRATO	OR 🗸		1-5-17
MAY	OR	\checkmark		1/8/18
CITY	CLERK	√		1/10/18
RETURN CONTR	ACT TO:	Jessica Hull	, PHONE	ext. 41212

AMENDMENT NUMBER ONE TO AGREEMENTS FOR FLEXIBLE SPENDING ACCOUNT ADMINISTRATION BETWEEN FLORES & ASSOCIATES, LLC AND THE CITY OF ANN ARBOR

The City of Ann Arbor, a Michigan municipal corporation ("City") and Flores & Associates, LLC, ("Contractor") agree to amend their Flexible Spending Account Administration Agreements for: 1) Medical Reimbursement Claims Administration; 2) Dependent Care Assistance Claims Administration; and 4) Section 105 Health Reimbursement Account Administration, which were executed by the parties dated April 16, 2008 as follows:

- 1) Paragraph 9 on each of the above-referenced Agreements is amended to strike the second sentence concerning the City's indemnification obligation; Paragraph 9 shall instead read as follows:
- **9.** Flores Not a Party to Plan. No provision of this Agreement shall be deemed to make Flores or any entity affiliated with Flores a party to the Plan or a fiduciary of the Plan.
 - 2) Paragraph 11 on each of the above-referenced Agreements is removed and replaced with the following:
- **11. Governing Law**. The parties agree that this Agreement shall remain silent on location of jurisdiction and governing law location, regardless of what jurisdiction may be involved in said Agreement.

All terms, conditions, and provisions of the original agreements between the parties dated April 16, 2008, unless specifically amended above, are to apply to this amendment and are made a part of this amendment as though expressly rewritten, incorporated, and included herein.

This amendment to the agreements between the parties shall be binding on the heirs, successors and assigns of the parties.

[REMAINDER OF PAGE LEFT BLANK]

For Contractor

By Mchael Flores

Michael J. Flores

Its: Chief Financial Officer, Flores & Associates

Approved as to form and content

Stephen K. Postema, City Attorney

By Christopher Taylor, Mayor

By Jacqueline Beaudry, City Clerk

Approved as to substance

Howard S. Lazarus, City Administrator

Service Area Administrator