

FIRST AMENDMENT TO AGREEMENT FOR INVESTMENT MANAGER SERVICES FOR INTERMEDIATE FUNDS (POOL III)

THIS FIRST AMENDMENT TO AGREEMENT FOR INVESTMENT MANAGER SERVICES FOR INTERMEDIATE FUNDS (POOL III) ("First Amendment") is entered into by and between the <u>CITY</u> <u>OF OCALA</u>, a Florida municipal corporation ("City"), and <u>SEIX INVESTMENT ADVISORS</u>, a division of Virtus Fixed Income Advisors, LLC a Delaware limited liability company and wholly-owned subsidiary of Virtus Partners, Inc (EIN# 26-1483110) ("Investment Manager" or "Advisors").

WHEREAS, on February 19, 2020, City, and Advisor entered into an Agreement for Investment Manager Services for Intermediate Funds (Pool III) (the "Original Agreement"), City of Ocala Contract No.: FIN/14-007, for a term of three years from February 12, 2020 through February 11, 2023; and

WHEREAS, City and Advisor, now desire to extend the Original Agreement, as written, for the sole two-year renewal period available under the Original Agreement; and

NOW THEREFORE, in consideration of each of the foregoing recitals and the following mutual covenants, conditions and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, City and Advisor agree as follows:

- 1. **RECITALS.** City and Advisor hereby represent and warrant that the Recitals set forth above are true and correct.
- INCORPORATION OF ORIGINAL AGREEMENT. The Original Agreement between City, and Advisor is hereby incorporated by reference as if set forth herein in its entirety and remains in full force and effect, except for those terms and conditions expressly amended by this First Amendment.
- 3. **RENEWAL TERM**. The Original Agreement is hereby renewed for an additional two-year term beginning **FEBRUARY 12, 2023** and terminating **FEBRUARY 11, 2025**.
- 4. **NOTICES**. All notices, certifications or communications required by this First Amendment shall be given in writing and shall be deemed delivered when personally served, or when received if by facsimile transmission with a confirming copy mailed by registered or certified mail, postage prepaid, return receipt requested. Notices can be concurrently delivered by email. All notices shall be addressed to the respective parties as follows:

If to Advisor: Seix Investment Advisors, a division of Virtus Fixed Income

Advisors, LLC

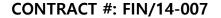
Attention: Deidre A. Dillon, Chief Compliance Officer

One Maynard Drive, Suite 3200

Park Ridge, NJ 07656

E-Mail: ddillon@seixadvisors.com

PH: 201-802-2305





If to City: Daphne Robinson, Esq., Contracting Officer

City Hall, Third Floor

110 SE Watula Avenue

Ocala, FL 34471

E-Mail: notices@ocalafl.org

PH: 352-629-8343 FAX: 352-690-2025

with copy to: William E. Sexton, Esq. City Attorney

City of Ocala

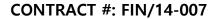
110 SE Watula Avenue, Third Floor

Ocala, FL 34471

E-Mail: cityattorney@ocalafl.org

- 5. **COUNTERPARTS.** This First Amendment may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.
- 6. **ELECTRONIC SIGNATURE(S).** Advisor, if and by offering an electronic signature in any form whatsoever, will accept and agree to be bound by said electronic signature to all terms and conditions of this First Amendment. Further, a duplicate or copy of the First Amendment that contains a duplicated or non-original signature will be treated the same as an original, signed copy of this original First Amendment for all purposes.
- 7. **LEGAL AUTHORITY**. Each person signing this First Amendment on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this First Amendment.

[REMAINDER OF PAGE INTENTIONALLY BLANK. SIGNATURE PAGE TO FOLLOW.]





IN WITNESS WHEREOF, the parties have executed this Agreement on _01 / 18 / 2023

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ATTEST:	CITY OF OCALA
Angel B. Jacobs	James P Hilty SR
Angel B. Jacobs	James P. Hilty
City Clerk	City Council President
Approved as to form and legality:	SEIX INVESTMENT ADVISORS, A DIVISION OF VIRTUS FIXED INCOME ADVISORS, LLC
William E. Sexton William E. Sexton, Esq.	Deirdre A. Dillon Signature
City Attorney	
	Deirdre A. Dillon Printed Name
	Chief Compliance Officer



TITLE (REV) FOR SIGNATURE - First Amendment to Agreement for.....

FILE NAME REV FOR COUNCIL S...vices Seix In.pdf

DOCUMENT ID c4a1989082f513d8f7750b5b5854522f8ad4df64

AUDIT TRAIL DATE FORMAT MM / DD / YYYY

STATUS • Signed

08:46:23 UTC-5

Document History

11 / 14 / 2022 Sent for signature to Seix Investment Advisors, LLC

(ddillon@seixadvisors.com) and William E. Sexton

(wsexton@ocalafl.org) from biverson@ocalafl.org

IP: 216.255.240.104

O 11 / 14 / 2022 Viewed by Seix Investment Advisors, LLC

VIEWED 09:04:35 UTC-5 (ddillon@seixadvisors.com)

IP: 154.36.110.7

SIGNED 09:06:18 UTC-5 (ddillon@seixadvisors.com)

IP: 216.244.101.124

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VIEWED 09:32:12 UTC-5 IP: 216.255.240.104

<u>▶</u> 11 / 14 / 2022 Signed by William E. Sexton (wsexton@ocalafl.org)

SIGNED 09:32:53 UTC-5 IP: 216.255.240.104

09:32:53 UTC-5

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File name (REV) FOR COUNCIL...ervices Seix .pdf

Document ID 898fc85bf123d699e07bee479a9ededd52a80e4f

Audit trail date format MM / DD / YYYY

Status • Signed

Document History

O1 / 18 / 2023 Sent for signature to James P. Hilty, Sr.

SENT 07:38:58 UTC-5 (jhilty@ocalafl.org) and Angel Jacobs (ajacobs@ocalafl.org)

from biverson@ocalafl.org

IP: 216.255.240.104

O1 / 18 / 2023 Viewed by James P. Hilty, Sr. (jhilty@ocalafl.org)

VIEWED 09:30:21 UTC-5 IP: 24.250.245.57

01 / 18 / 2023 Signed by James P. Hilty, Sr. (jhilty@ocalafl.org)

SIGNED 09:30:37 UTC-5 IP: 24.250.245.57

O 1 / 18 / 2023 Viewed by Angel Jacobs (ajacobs@ocalafl.org)

VIEWED 10:35:19 UTC-5 IP: 216.255.240.104

SIGNED 10:35:30 UTC-5 IP: 216.255.240.104

7 O1 / 18 / 2023 The document has been completed.

COMPLETED 10:35:30 UTC-5