

**CITY OF FORT LAUDERDALE
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM
HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE, INC.
FIRST AMENDMENT TO THE PROVIDER AGREEMENT
FY 2012-2013**

THIS FIRST AMENDMENT TO AGREEMENT is entered into this _____ day of _____, 2012, by and between:

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida, hereinafter referred to as "City",

and

Housing Authority of City of Fort Lauderdale, Inc., a non-profit corporation organized under the laws of Florida, located at 437 SW 4th Avenue, Fort Lauderdale, Florida 33315, hereinafter referred to as "Participant".

WHEREAS, the City receives Housing Opportunities for Persons with HIV/AIDS (HOPWA) funding from the U.S. Department of Housing and Urban Development (HUD) to undertake particular activities, including the provision of housing and support services to eligible individuals; and

WHEREAS, The City Commission approved a program amendment to the HOPWA Program, which provided \$120,000 to the Housing Authority of the City of Fort Lauderdale for Project Based Rental Assistance and \$30,000 for Project Based Rental maintenance and repairs; and

WHEREAS, on April 20, 2011 (Item PH-01 / CAR #11-0475), the City Commission of the City of Fort Lauderdale approved an agreement between City and Participant to provide services and/or housing to persons with acquired immunodeficiency syndrome or related diseases for a period of eighteen (18) months, expiring on September 30, 2012 (hereinafter referred to as "Agreement") attached hereto; and

WHEREAS, the Participant has a balance of approximately \$69,477.07 that was not expended during the eighteen (18) month term; and

WHEREAS, the City Manager wishes to allow participant to expend the remaining HOPWA funds by extending the Agreement for a one (1) year period commencing October 1, 2012 through September 30, 2013 or until all funding is expended, whichever occurs first, subject to certain modifications as provided in this Amendment; and

WHEREAS, pursuant to Commission Agenda Memorandum (CAM) Number 12-2243, adopted at its meeting of _____, 2012, the City Commission authorized the proper City officials to enter into this, First Amendment to the HOPWA

Housing Authority of Fort Lauderdale Program Provider Agreement FY 2011-2012, to extend the term of the Agreement to allow for the expenditure of unspent funds.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree to amend the Agreement as follows:

1. **ARTICLE V, TERM AND TIME OF PERFORMANCE**, is hereby amended as follows:
“The term of this Agreement shall be extended until all Project Based Rental Assistance funds have been expended, as provided herein, however such term and time of performance shall not extend beyond September 30, 2013.”
2. The effective date of this amended Agreement shall be October 1, 2012.
3. The remainder of the Agreement shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date first written above.

WITNESSES:

[Witness print name]

[Witness print name]

CITY OF FORT LAUDERDALE

By _____
John P. "Jack" Seiler, Mayor

By _____
Jonathan Brown, HCD Manager

By _____
Lee R. Feldman, City Manager

Approved as to form:

Assistant City Attorney

PARTICIPANT

Housing Authority of City of Fort
Lauderdale, Inc., a Florida non-profit
corporation

WITNESSES:

By _____
Tam English, Executive Director

[Witness print name]

Attest:

[Witness print name]

(CORPORATE SEAL)

Secretary

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this ____ day of _____
20__ by _____ and _____ as
_____ and _____ of _____, a
Florida non-profit corporation, on behalf of the corporation, who are personally known
to me or have produced _____ as
identification.

(SEAL)

Notary Public, State of Florida (Signature
of Notary taking Acknowledgment)

Name of Notary Typed, Printed or Stamped

My Commission Expires: _____

Commission Number: _____