

**FIRST AMENDMENT TO AGREEMENT  
FOR  
DOWNTOWN MOBILITY HUB STREETSCAPE IMPROVEMENTS**

This First Amendment to the Downtown Mobility Hub Streetscape Improvements Agreement, ("Agreement") by and between the City of Fort Lauderdale, a Florida municipal corporation, ("City"), whose address is 100 North Andrews Avenue, Fort Lauderdale, FL 33301 and Continental Construction USA, LLC, ("Contractor"), is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

WHEREAS, an Agreement between the City and Contractor for Downtown Mobility Hub Streetscape Improvements was approved by the City Commission of the City of Fort Lauderdale, Florida, at its meeting of September 3, 2019, for execution by the parties; and

WHEREAS, since November 5, 2019, the City has hosted weekly progress meetings with the Broward Metropolitan Planning Organization, the City's consultant, and the Contractor to discuss the construction progress, status, and future progress; and

~~WHEREAS, the Contractor demolished and damaged certain private properties adjacent to the City, that are owned by a private entity and which work was not authorized by the City; and~~

WHEREAS Streetscape Easement Agreements for N.W. 2<sup>nd</sup> Street have been negotiated between FLL Andrews Development LLC, FLL Flagler Development LLC ("Grantors") and the City for consideration and approval by the City Commission to allow for the construction, installation, inspection, maintenance and use of the Streetscape Improvements on a certain Easement Area;

WHEREAS, pursuant to Section 10.3, of the Agreement, the Contractor is required to provide and maintain adequate insurance coverage; and

WHEREAS, the parties desire to enter into this First Amendment to the Agreement to add additional insurance policies and coverage required by the Grantors.

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants, agreements, terms, and conditions contained herein, do agree as to the following:

1. The above recitals and representations are true and correct and are incorporated herein.
2. The Agreement is hereby amended to add Section 10.5 to the Agreement, which shall read as follows: