

December 12, 2019

Christine W. Fanchi, PE PTP  
Transportation Engineering Design Manager  
City of Fort Lauderdale  
290 NE 3<sup>rd</sup> Avenue  
Fort Lauderdale, FL 33301

Subject: **Executed – First Amendment Agreement**  
Downtown Fort Lauderdale Mobility Hub Project

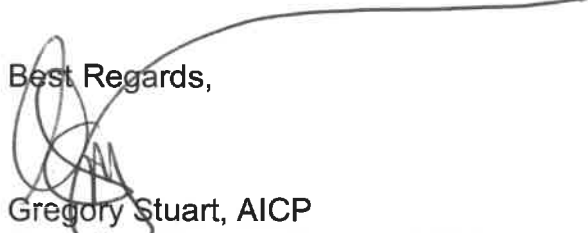
Dear Ms. Fanchi:

Enclosed please find a fully **executed amendment agreement** dated December 12, 2019, between *City of Fort Lauderdale* and the Broward Metropolitan Planning Organization (BMPO) for your records.

We look forward to continue working with *City of Fort Lauderdale* as we move forward in accomplishing the goals of the Broward MPO.

If you have any questions please feel free to contact me or Chadwick Blue, Project Manager at (954) 876-0051 or by email at [BlueC@browardmpo.org](mailto:BlueC@browardmpo.org).

Best Regards,

  
Gregory Stuart, AICP  
Executive Director, Broward MPO  
GS/lw

Enclosure

Cc: Chadwick Blue  
Accounting & Finance

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Ana M. Zaide

**Executive Director**  
Gregory Stuart

**General Counsel**  
Alan Gabriel

**FIRST AMENDMENT  
TO  
SUBRECIPIENT AGREEMENT  
BETWEEN  
BROWARD METROPOLITAN PLANNING ORGANIZATION  
AND  
CITY OF FORT LAUDERDALE  
FOR  
DOWNTOWN FORT LAUDERDALE MOBILITY HUB PROJECT**

This First Amendment to Agreement ("First Amendment") is made and entered into the 12<sup>th</sup> day of December, 2019, by and between the **Broward Metropolitan Planning Organization**, with its principal business address located at Trade Centre South, 100 West Cypress Creek Road, Suite 650, Fort Lauderdale, FL 33309, (hereinafter referred to as "BMPO"),

And

**CITY OF FORT LAUDERDALE**, a political subdivision of the state of Florida with its principal business address located at 100 North Andrews Avenue, Fort Lauderdale, FL 33301, (hereinafter referred to as "City"). References in this Agreement to "Executive Director" shall be meant to include his/her designee.

WITNESSETH:

**WHEREAS**, the original Agreement between the BMPO and City for the design and construction of improvements in the Downtown Fort Lauderdale Mobility Hub area (the "Project") is dated and effective as of February 9, 2017 (the "Agreement"); and

**WHEREAS**, pursuant to the terms of the Agreement, the City is to manage the design and construction of streetscape improvements in the Downtown Fort Lauderdale Mobility Hub in partnership with BMPO, the South Florida Regional Transportation Authority, Fort Lauderdale Northwest Progresso-Flagler Heights Community Redevelopment Agency and the Florida Department of Transportation.

**WHEREAS**, due to unanticipated delays affecting the Project, the BMPO and City agree that additional time is required in order to perform the services and complete the Project than originally anticipated, thus the parties now desire to amend the Term and Time of Performance to allow for this additional time; and

**WHEREAS**, pursuant to Article 4, "**Term**" of the Agreement, the parties may extend the Agreement by mutual consent in writing prior to the expiration of the Term; and

**WHEREAS**, this amendment to the Agreement will not result in any changes to the approved Scope of Services nor will it result in any additional funds or costs to the City or the BMPO; and

**WHEREAS**, BMPO and City desire to enter into this Amendment whereby the duties and obligations of each party to the other are set forth therein. The Agreement together with this Amendment, shall hereinafter be referred to as the "Agreement, as amended".

**NOW, THEREFORE**, in consideration of the mutual terms and conditions, promises, and covenants and the faithful performance of all such covenants and conditions, the BMPO and City agree as follows:

1. Incorporation of "Whereas" Clauses. The truth and accuracy of each "Whereas" clause set forth above is acknowledged and is incorporated herein as if set forth in its entirety.
2. Article 4, entitled "Term" of the Agreement, at Section 4.1, is hereby amended to extend the Term of the Agreement from December 31, 2019, for an additional one (1) year, thereby expiring on December 31, 2020, unless otherwise terminated earlier pursuant to Article 4 of the Agreement, as amended.
3. Except as amended herein all other terms and conditions of the Agreement, as amended shall remain in full force and effect. This Amendment shall be deemed part of, but shall take precedence over and supersede any provisions to the contrary contained in the Agreement.
4. Except as specifically modified hereby, all of the provisions of the Agreement which are not in conflict with the terms of this Amendment shall remain in full force and effect.

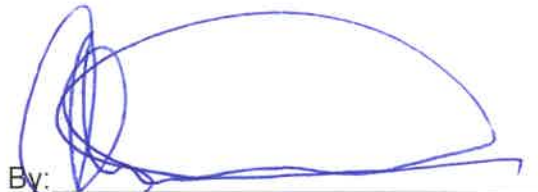
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**FIRST AMENDMENT TO  
AGREEMENT BETWEEN THE BMPO AND CITY OF FORT LAUDERDALE  
FOR DOWNTOWN FORT LAUDERDALE MOBILITY HUB PROJECT**

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the respective dates under each signature: **BMPO**, signing by and through its Chair and Executive Director, attested to and duly authorized to execute same, and the **City**, signing by and through its Mayor, authorized to execute same by Commission action on the day of Sept 3<sup>rd</sup>, 2019.

**BMPO**

BROWARD METROPOLITAN  
PLANNING ORGANIZATION


By:   
\_\_\_\_\_  
Gregory Stuart, Executive Director

By:   
\_\_\_\_\_  
Bryan Caletka, Chair

This 12<sup>th</sup> day of December 2019.

This 12<sup>th</sup> day of December 2019.

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY FOR THE USE OF AND  
RELIANCE BY THE BMPO ONLY:

By:   
\_\_\_\_\_  
Alan L. Gabriel, BMPO General Counsel  
Weiss Serota Helfman Cole & Bierman, P.L.

Downtown FTL Mobility Hub First Amd. (Final 7.9.2019)

**FIRST AMENDMENT TO  
AGREEMENT BETWEEN THE BMPO AND CITY OF FORT LAUDERDALE  
FOR DOWNTOWN FORT LAUDERDALE MOBILITY HUB PROJECT**

**CITY OF FORT LAUDERDALE**

By: 

Dean J. Trantalis, Mayor

By: 

Christopher J. Lagerbloom, City Manager

ATTEST: 

Jeffrey A. Modarelli, City Clerk

(CORPORATE SEAL)

Approved as to form:  
Alain Boileau, City Attorney

By: 

Print Name: Kimberly Cunningham Mosley  
Title: Assistant City Attorney