

**AMENDMENT NO. 1
TO AGREEMENT NO. L0041
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
CITY OF FORT LAUDERDALE**

This Amendment to Agreement No. L0041 (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and the City of Fort Lauderdale (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for Fort Lauderdale Downtown Business Corridor Stormwater Pump Station Generators (Project), effective November 25, 2024; and,

WHEREAS, the Grantee has requested an extension of the Agreement due to generator delivery delays; and,

WHEREAS, other changes to the Agreement are necessary; and,

WHEREAS, the parties have agreed to amend the Agreement as set forth herein.

NOW THEREFORE, the parties agree as follows:

1. Section 3. of the Standard Grant Agreement is hereby revised to change the Date of Expiration to October 31, 2028. The Department and the Grantee shall continue to perform their respective duties during this extension period pursuant to the same terms and conditions provided in the Agreement.

2. Section 11. of Attachment 2 is hereby revised as follows:

Subcontracting

The Grantee may subcontract work under this Agreement without the prior written consent of the Department's Grant Manager except for certain fixed-price subcontracts pursuant to this Agreement, which require prior approval. Regardless of any subcontract, the Grantee is ultimately responsible for all work to be performed under this Agreement. Upon request by the Department's Grant Manager, the Grantee will submit a copy of the executed subcontract.

3. Attachment 3, Grant Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-1, Revised Grant Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3 shall hereinafter refer to Attachment 3-1, Revised Grant Work Plan.

4. All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistency may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

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The parties agree to the terms and conditions of this Amendment and have duly authorized their respective representatives to sign it on the dates indicated below.

CITY OF FORT LAUDERDALE

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Authorized Signature

By: _____
Secretary or Designee

Rickelle Williams, City Manager
Print Name and Title

Angela Knecht, Division Director
Print Name and Title

Date: _____

Date: _____

Olivia Atkins, DEP Grant Manager

Katie Verdesca, DEP QC Reviewer

List of attachments/exhibits included as part of this Amendment:

| <u>Specify Type</u> | <u>Letter/ Number</u> | <u>Description</u> |
|---------------------|-----------------------|-------------------------|
| Attachment | 3-1 | Revised Grant Work Plan |

CITY OF FORT LAUDERDALE, a Florida municipal corporation

By: _____
RICKELLE WILLIAMS
City Manager

ATTEST:

By: _____
DAVID R. SOLOMAN
City Clerk

Approved as to Legal Form and Correctness:
Shari L. McCartney, City Attorney

By: _____
RHONDA MONTOYA HASAN
Senior Assistant City Attorney

**ATTACHMENT 3-1
REVISED GRANT WORK PLAN**

PROJECT TITLE: Fort Lauderdale Downtown Business Corridor Stormwater Pump Station Generators

PROJECT LOCATION: The Project will be located in the City of Fort Lauderdale within Broward County; Lat/Long (26.1179, -80.1427).

PROJECT BACKGROUND: The low-lying topography of the City of Fort Lauderdale (Grantee) requires a pumping system that is necessary to drain heavy rainfall directly into the North New River canal. Two existing pump stations currently facilitate the City’s drainage system; however, they become inoperable due to frequent power outages caused by storms. This results in significant flooding in downtown Fort Lauderdale that persists until power is restored. To increase the resilience in the downtown area and reduce flooding impacts, this project will install emergency gas-powered generators for continuous operation of the drainage pump system during power outages.

PROJECT DESCRIPTION: The Grantee will install two gas powered generators to two existing stormwater pump stations located on the North New River canal to allow for the drainage of the downtown Fort Lauderdale area during power outages.

TASKS: All documentation should be submitted electronically unless otherwise indicated and should be submitted prior to the expiration of the grant agreement

Task 1: Construction

Deliverables: The Grantee will construct the Fort Lauderdale Downtown Business Corridor Stormwater Pump Station Generators project in accordance with the final design. Project management activities, including field engineering services, construction observation and inspections, site meetings with construction contractor(s) and design professionals, and overall construction coordination and supervision, are eligible under this task.

Documentation: The Grantee will submit: 1) a copy of the final design; 2) a signed summary of activities completed for the period of work covered in the payment request, using the format provided by the Department’s Grant Manager. Upon request by the Department’s Grant Manager, the Grantee will provide additional supporting documentation relating to this task.

Performance Standard: The Department’s Grant Manager will review the documentation to verify that the deliverables have been completed as described above. Upon review and written acceptance by the Department’s Grant Manager, a payment request may be processed.

Payment Request Schedule: The Grantee may submit a payment request for cost reimbursement no more frequently than monthly.

PROJECT TIMELINE & BUDGET DETAIL: The tasks must be completed by the corresponding task end date. Cost reimbursable grant funding must not exceed the budget amounts as indicated below. For payment requests that include Contractual Services, the Grantee shall provide documentation of the procurement process, as consistent with Attachment 1, Section 9.c.

| Task No. | Task Title | Budget Category | Grant Amount | Task Start Date | Task End Date |
|----------|--------------|----------------------|--------------|-----------------|---------------|
| 1 | Construction | Contractual Services | \$175,000 | 07/01/2024 | 04/30/2028 |
| Total: | | | \$175,000 | | |

Note that, per Section 8 of Attachment 1 in the Agreement, authorization for continuation and completion of work and any associated payments may be rescinded, with proper notice, at the discretion of the Department if the Legislature reduces or eliminates appropriations. Extending the contract end date carries the risk that funds for this project may become unavailable in the future. This should be a consideration for the Grantee with this and future requests for extension.