

**MODIFICATION #2 TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
CITY OF DELRAY BEACH**

This Modification is made and entered into by and between the State of Florida, Division of Emergency Management (the “Division”), and the City of Delray Beach (the “Sub-Recipient”), to modify Contract Number **R0518**, which began on May 17, 2022 (the “Agreement”).

WHEREAS, the Division and the Sub-Recipient entered into the Agreement, pursuant to which the Division provided a subgrant to the Sub-Recipient under the State Homeland Security Grant Program in the amount of **\$107,000.00**; and

WHEREAS, the Agreement expired on March 31, 2023; and

WHEREAS, on November 26, 2023, the Division and the Sub-Recipient entered into Modification #1 to the Agreement reinstating the Agreement and extending the term to December 31, 2023; and

WHEREAS, the Division and the Sub-Recipient desire to reinstate and extend the terms of the Agreement; and

WHEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. Paragraph 8 of the Agreement is hereby amended to read as follows:

This Agreement shall begin upon execution by both parties and will end on April 30, 2024, unless terminated earlier in accordance with the provisions of Paragraph (17) of this Agreement. Consistent with the definition of “period of performance” contained in 2 C.F.R. §200.77, the term “period of agreement” refers to the time during which the Sub-Recipient “may incur new obligations to carry out the work authorized under” this Agreement. In accordance with 2 C.F.R. §200.309, the Sub-Recipient may receive reimbursement under this Agreement only for “allowable costs incurred during the period of performance.” In accordance with section 215.971(1)(d), Florida Statutes, the Sub-Recipient may expend funds authorized by this Agreement “only for allowable costs resulting from obligations incurred during” the period of agreement.

2. All provisions not in conflict with this Modification remain in full force and effect and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

SUB-RECIPIENT: CITY OF DELRAY BEACH

By: _____
Thomas F. Carney, Jr., Mayor

Attest: _____
Katerri Johnson, City Clerk

Approved as to Form and Legal Sufficiency:

Lynn Gelin, City Attorney

Date: _____

DIVISION OF EMERGENCY MANAGEMENT

By: _____

Name and Title: **Kevin Guthrie, Director**

Date: _____