

AGREEMENT NO. L2202
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
CITY OF DELRAY BEACH

CONTINUATION OF STANDARD GRANT AGREEMENT

This Agreement (the “Continuation of Standard Grant Agreement”) is made and entered into this ____ day of _____, 20__, by and between the city of Delray Beach, Florida, (hereinafter referred to as “Grantee”) and the State of Florida Department of Environmental Protection, (hereinafter referred to as “Department”).

RECITALS

WHEREAS, the Grantee and the Department entered into a State of Florida Department of Environmental Protection Standard Grant Agreement, Number L2202, effective November 8, 2022, for Pompey Park with the City of Delray Beach (the “Project”), which is by this reference incorporated herein (the “2022 Standard Grant Agreement”), with the current agreement Term of November 8, 2022, through October 31, 2025.

WHEREAS, prior to the expiration of the 2022 Standard Grant Agreement on March 31, 2025, the parties intended to extend its term with the execution of Amendment No. 4 to Agreement No. L2202, a copy of which is attached hereto as Exhibit “A” and by this reference incorporated herein (the “Proposed Amendment 4”); and,

WHEREAS, in order to complete the Project as intended, the parties wish to enter into this Standard Grant Agreement under the same terms and conditions as the 2022 Standard Grant Agreement, as modified by Proposed Amendment 4.

NOW, THEREFORE, in consideration of the premises and mutual covenants contained herein, the sufficiency of which is acknowledged hereby, the parties do agree as follows:

1. **Recitals.** The recitals set forth above are true and correct and are incorporated into the terms of this Standard Grant Agreement.
2. **Terms and Conditions.** The parties hereby acknowledge and agree that this Standard Grant Agreement shall be governed by the terms and conditions contained in the 2022 Standard Grant Agreement as modified by the terms and conditions of the Proposed Amendment 4, which terms and conditions are hereby incorporated herein and made a part hereof by this reference.

WHERETO, the parties have set their hands and seals effective the date whereon the last party executes this Standard Grant Agreement.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

CITY OF DELRAY BEACH

By: _____
Secretary or Designee

Thomas F. Carney Jr., Mayor

Attest:

Print Name and Title

Alexis Givings, City Clerk

Approved as to form and legal sufficiency:

DATE: _____

Lynn Gelin, City Attorney

AMENDMENT NO. 4 TO AGREEMENT NO. L2202
BETWEEN
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND
CITY OF DELRAY BEACH

This Amendment to Agreement No. L2202, as previously amended, (Agreement) is made by and between the Department of Environmental Protection (Department), an agency of the State of Florida, and City of Delray Beach, **100 NW Avenue, Delray Beach, FL 33444 (primary address) and 50 NW 1st Avenue, Delray Beach, FL 33444 (secondary address)** (Grantee), on the date last signed below.

WHEREAS, the Department entered into the Agreement with the Grantee for the development of MEP Engineering & Permitting, purchase of new commercial kitchen and pool equipment, pool resurfacing, pavilion purchase and installation, parking lot improvements including mill & resurfacing and striping, effective November 8, 2022;

WHEREAS, the parties entered into Amendment No. 1 to the Agreement on April 27, 2023, to extend the grant project completion date to April 30, 2024, and to extend the grant period to June 30, 2024; and

WHEREAS, the parties entered into Amendment No. 2 to the Agreement on April 24, 2024, to extend the grant project completion date to October 31, 2024, and to extend the grant period to December 31, 2024; and

WHEREAS, the parties entered into Amendment No. 3 to the Agreement on October 29, 2024, to extend the grant project completion date to January 31, 2025, and to extend the grant period to March 31, 2025; and

WHEREAS, the parties wish to amend the Agreement as set forth herein to extend the project completion date to August 31, 2025 and the grant period to October 31, 2025.

NOW THEREFORE, the parties agree as follows:

- 1) The Agreement is extended for a seven-month period to begin March 31, 2025, and remain in effect until October 31, 2025. 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) Attachment 1, Standard Terms and Conditions (Rev. 8/16/2024) is hereby deleted in its entirety and replaced with Attachment 1, Standard Terms and Conditions (Rev. 2/25/2025) as attached to this amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 1 shall hereinafter refer to Attachment 1, Standard Terms and Conditions (Rev. 2/25/2025).
- 3) Attachment 3-C, Third Revised Project Work Plan, is hereby deleted in its entirety and replaced with Attachment 3-D, Revised Project Work Plan, as attached to this Amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 3-C shall hereinafter refer to Attachment 3-D. Revised Project Work Plan.
- 4) Attachment 5, Special Audit Requirements (Rev. 12/14/2020) is hereby deleted in its entirety and replaced with Attachment 5, Standard Terms and Conditions (Rev. 11/19/2024) as attached to this amendment and hereby incorporated into the Agreement. All references in the Agreement to Attachment 5 shall hereinafter refer to Attachment 5, Standard Terms and Conditions (Rev. 11/19/2024).
- 5) All other terms and conditions of the Agreement remain in effect. If and to the extent that any inconsistencies may appear between the Agreement and this Amendment, the provisions of this Amendment shall control.

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.

Grantee Name

**Florida Department of
Environmental Protection**

By: _____

By: _____

Secretary or Designee

Date: _____

Date: _____

LIST OF ATTACHMENTS/EXHIBITS INCLUDED AS PART OF THIS AMENDMENT:

<u>Specify Type</u>	<u>Letter/Number</u>	<u>Description</u>
Attachment	1	Standard Terms and Conditions (Rev. 2/25/2025) (14 pages)
Attachment	3-D	Revised Grant Work Plan (3 pages)
Attachment	5	Special Audit Requirements (Rev. 11 /19/2024) (6 pages)

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