

**MODIFICATION #1 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 ("Sub-Recipient"), to modify Contract Number **R0518**, which was executed on May 17, 2022 ("the Agreement").

WHEREAS, the Division and the Sub-Recipient entered into the Agreement, pursuant to which the Division has provided a subgrant of **\$107,700.00** to the Sub-Recipient under the State Homeland Security Grant program; and

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

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

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 shall end on December 31, 2023, 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: _____
Shelly Petrolia, 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: Jared Moskowitz, Division Director

Date: _____