

AMENDMENT 1

AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN THE EMERALD COAST REGIONAL COUNCIL AND THE CITY OF PENSACOLA RELATING TO PROJECT MANAGEMENT FOR THE DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION INVESTMENT NUMBER 04-79-07378 GRANT

THIS AMENDMENT is made and entered into by and between EMERALD COAST REGIONAL COUNCIL, a multi-purpose special district of the State of Florida (hereinafter referred to as "ECRC"), and the CITY OF PENSACOLA, a municipal corporation created and existing under the laws of the State of Florida (hereinafter referred to as "City").

WITNESSETH:

WHEREAS, the parties have legal authority to perform general governmental services within their respective jurisdictions; and

WHEREAS, the parties are public agencies authorized by §163.01, Florida Statutes, to enter into Interlocal Agreements and thereby cooperatively utilize their powers and resources in the most efficient manner possible; and

WHEREAS, ECRC assisted the City in developing the FY 2018 Public Works and Economic Adjustment Assistance Disaster Supplemental Grant Application to the U.S. Economic Development Administration ("EDA") to provide funding for the design and construction of Hangar 2 at the Pensacola International Airport; and

WHEREAS, the City was notified on July 18, 2019, that it had been awarded a grant from EDA of twelve million two hundred fifty thousand dollars and 00/100 (\$12,250,000.00) bearing Investment Number 04-79-07378 (hereinafter referred to as "the Investment"); and

WHEREAS, on August 8, 2019, City Council voted to accept the Investment related to the expansion of the Maintenance, Repair, and Overhaul facility at Pensacola International Airport and authorized the Mayor or his designee to take all actions necessary related to the finalization of the grant; and

WHEREAS, on January 1, 2020, the City of Pensacola and the Emerald Coast Regional Planning Council entered into an Interlocal Agreement for Grant Administration Services for the Economic Development Administration (EDA) Grant #04-79-07378.

WHEREAS, the City and the ECRC entered into an Interlocal agreement ("Original Agreement) whereby the City engaged the services of the ECRC to provide Grant Administration Services for the Economic Development Administration (EDA) Grant #04-79-07378.

WHEREAS, the City and the ECRC entered into an Amended and Restated Interlocal agreement (“Restated Agreement) whereby additional terms and conditions were added in accordance with grant requirements.

WHEREAS, the City and the ECRC have reviewed the progress and agree the services being provided are appropriately continued for the duration of the grant or for as long as grant funds remain available to fund the services, whichever occurs sooner, and therefore the parties wish to amend the Restated Agreement to extend the term of the agreement to correspond with the term of the Economic Development Administration (EDA) Grant #04-79-07378.

NOW THEREFORE, for and in consideration of the mutual covenants herein and the mutual benefits each unto the other, and for other good and valuable consideration, the parties to this Agreement hereby agree as follows:

1. The recitals contained above are true and correct and are incorporated into this Amendment.
2. Subsection 3.1 of the Restated Agreement is hereby amended as follows:

3.1 Term. This Agreement shall be extended for the duration of the Grant #04-79-07378; provided, however, that grant funds remain available to fund these services.
3. Except as expressly amended hereby, the Restated Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: Emerald Coast Regional Council through its Board of Directors, signing by and through its duly authorized Chairman, and the City of Pensacola, signing by and through its Mayor in accordance with City Council approved action on December 15, 2022.

EMERALD COAST REGIONAL COUNCIL,
a multi-purpose special district of the State of
Florida

By: _____
Austin Mount, Executive Director

Date: _____

Attest:
Dawn Schwartz, Chief Financial Officer
Emerald Coast Regional Council

Dawn Schwartz, Chief Financial Officer

CITY OF PENSACOLA,
a municipal corporation chartered in the State
of Florida

By: _____
D.C. Reeves, Mayor

Date: _____

ATTEST:

Ericka L. Burnett, City Clerk

(SEAL)

APPROVED AS TO CONTENT:

Matthew F. Coughlin, Airport Director

LEGAL IN FORM AND VALID AS
DRAWN:

City Attorney