

**FIRST AMENDMENT
TO
JOINT PARTICIPATION AGREEMENT
BETWEEN
THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AND
THE CITY OF PENSACOLA, FLORIDA**

This Amendment is between the State of Florida, Department of Transportation, “Department,” whose mailing address is, 1074 Highway 90, Chipley, Florida 32428 and the City of Pensacola, Florida “City”.

WITNESSETH

WHEREAS, the Department and the City entered into an Agreement, Contract No. **ASR43**, on June 21, 2022, for landscaping improvements along SR 289 from North 9th Avenue at SR 742 Creighton Intersection under Financial Project No. 439561-3-58-01 (“Project”) known by the Parties as the “Agreement” and

WHEREAS, the Parties desire to further amend the Agreement to provide additional landscape construction and maintenance of three (3) additional locations including two (2) intersections and median maintenance at the additional locations that are also the subject of this First Amendment, increase the limits of the Project (as indicated by an additional project number) and add additional funding in the amount of Two Hundred Twenty Thousand and 00/100 Dollars (\$220,000.00) for the Project as set forth below.

NOW THEREFORE, the Parties agree to amend the Agreement as follows:

1. The recitals in the Whereas clauses above are true and correct and are incorporated into this Amendment.
2. Section 9 (Reimbursement and Payment), Paragraph 9(A)(i) of the Agreement is hereby amended by deleting the amount “FIFTEEN THOUSAND and 00/100 DOLLARS (\$15,000.00)”, wherever appearing therein, and substituting the amount “TWO HUNDRED THIRTY-FIVE THOUSAND and 00/100 DOLLARS (\$235,000.00)”, in lieu thereof.
3. Exhibit “B” (Method of Compensation) of the Agreement is hereby amended by

deleting the amount “FIFTEEN THOUSAND and 00/100 DOLLARS (\$15,000.00)”, wherever appearing therein, and substituting the amount “TWO HUNDRED THIRTY-FIVE THOUSAND and 00/100 DOLLARS (\$235,000.00)”, in lieu thereof.

4. The limits of the Project are amended to be as follows:

SR 289 from North 9th Avenue at SR 742 Creighton under Financial Project No. 439561-3-58-01 and I-110 at Fairfield and SR 30 (US 98) at W Street, SR 10A (US 90) W Cervantes Street from Dominguez Street to A Street under Financial Project No 450950-1-58-01(“Project”), which will now be known by the Parties as the “Project”.

5. Except as modified in this First Amendment, the provisions, terms and conditions of the Agreement shall remain in full force and effect.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, this First Amendment shall be effective on the last date of execution hereof by a Party.

CITY OF PENSACOLA, FLORIDA

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____
Name: _____
Title: _____
Date: _____
Attest: _____

By: _____
Name: _____
Title: _____
Date: _____
Attest: _____
Executive Secretary

Legal Review:

City Attorney

Legal Review:

Office of the General Counsel