

**AMENDMENT ONE
TO GRANT AGREEMENT
BETWEEN
THE FLORIDA DEPARTMENT OF COMMERCE
AND
CITY OF CHIPLEY**

On November 12, 2021, the **State of Florida, Department of Commerce** (“Commerce”), formerly the Department of Economic Opportunity, and **the City of Chipley** (“Grantee”) (collectively the “Parties”), entered into Agreement Number D0190 (“Agreement”), pursuant to paragraph 288.0655(2)(b), Florida Statutes.

WHEREAS, Paragraph D, Modification, of the Agreement provides that any amendment to the Agreement shall be in writing executed by the Parties thereto; and

WHEREAS the Parties wish to amend the Agreement as set forth herein;

NOW THEREFORE, in consideration of the mutual covenants and obligations set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

1. On July 1, 2023, the Florida Department of Economic Opportunity was renamed to the Florida Department of Commerce (“Commerce”). Effective July 1, 2023, all references to “Department of Economic Opportunity” or “DEO” are hereby replaced with “Florida Department of Commerce” or “Commerce” as appropriate.
2. Paragraph A, Agreement Period, is hereby deleted in its entirety and is replaced by the following:

A. Agreement Period:

This Agreement is effective as of **November 12, 2021** (the “Effective Date”) and shall continue until the earlier to occur of (a) **November 11, 2024**, (the “Expiration Date”) or (b) the date on which either Party terminates this Agreement (the “Termination Date”). The period of time between the Effective Date and the Expiration Date or Termination Date is the “Agreement Period”.

3. Paragraph U, Employment Eligibility Verification – E-VERIFY, is hereby deleted in its entirety, and is replaced by the following:

U. EMPLOYMENT ELIGIBILITY VERIFICATION – E-VERIFY

1. E-Verify is an Internet-based system that allows an employer, using information reported on an employee’s Form I-9, Employment Eligibility Verification, to determine the eligibility of all new employees hired to work in the United States. There is no charge to employers to use E-

Verify. The Department of Homeland Security's E-Verify system can be found at: <https://www.e-verify.gov/>.

2. In accordance with section 448.095, F.S., the State of Florida expressly requires the following:
 - a) Every public agency and its contractors and subcontractors shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public agency or a contractor or subcontractor thereof may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.
 - b) An employer shall verify each new employee's employment eligibility within three (3) business days after the first day that the new employee begins working for pay as required under 8 C.F.R. 274a. Beginning July 1, 2023, a private employer with 25 or more employees shall use the E-Verify system to verify a new employee's employment eligibility.
3. If an entity does not use E-Verify, the entity shall enroll in the E-Verify system prior to hiring any new employee or retaining any contract employee after the effective date of this Agreement.
4. Attachment 1, Scope of Work, Section 6, Invoice Submittal and Payment Schedule has been revised to add subsection 6.5 as follows:

6.5 If the Grantee is a county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., the payment of submitted invoices may be issued for verified and eligible performance that has been completed in accordance with the terms and conditions set forth in this Agreement to the extent that federal or state law, rule, or other regulation allows such payments. Upon meeting either of the criteria set forth below, the Grantee may elect in writing to exercise this provision.

 - a. A county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., that demonstrates financial hardship; or
 - b. A county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., and which is located in a fiscally constrained county, as defined in section 218.67(1). If the Grantee meets the criteria set forth in this paragraph, then the Grantee is deemed to have demonstrated a financial hardship.
5. This Agreement is hereby reinstated as though it had not expired.
6. All other terms and conditions of the Agreement not in conflict with this Amendment remain in full force and effect and are to be performed as specified in the Agreement.

~Remainder of this page left intentionally blank~

Agreement Number: D0190

IN WITNESS HEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of Agreement D0190, as amended. The terms of this Amendment will become effective as of November 12, 2023.

CITY OF CHIPLEY

FLORIDA DEPARTMENT OF
COMMERCE

By _____
Signature
Tracy L. Andrews

Title Mayor

Date April 9, 2024

By _____
Signature
J. Alex Kelly

Title Secretary

Date _____

Approved as to form and legal sufficiency,
subject only to full and proper execution by
the Parties.

OFFICE OF GENERAL COUNSEL
FLORIDA DEPARTMENT OF COMMERCE

By: _____

Approved Date: _____