

**AMENDMENT 002 TO THE AGREEMENT  
WITH  
CITY OF GREENACRES**

**Amendment 002** with an effective date of November 27, 2023 by and between **Palm Beach County** and the **City of Greenacres**.

**WITNESSETH:**

**WHEREAS**, Palm Beach County entered into an Agreement (R2022-1209) with the City of Greenacres on October 1, 2022, as amended by Amendment 001 (R2023-0312) on November 14, 2022 to provide \$198,947 of Community Development Block Grant (CDBG) funds for the construction of Sanitary Sewer improvements Phase I, that comprises of a Lift Station located between 10<sup>th</sup> Ave North and Biscayne Boulevard, in the City of Greenacres; and

**WHEREAS**, both parties desire to modify the original Agreement to revise the Project Performance Requirements to provide additional time for construction completion and to request 100% Reimbursement of CDBG funds from the County; and

**WHEREAS**, both parties desire to modify the original Agreement in accordance with the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

**A. INCORPORATION OF RECITALS**

The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement.

**B. The Agreement R2022-1209 shall be revised as follows:**

- a. Delete the date of November 30, 2023 and replace with **March 31, 2024** to Complete Construction.
- b. Delete the date of December 31, 2023 and replace with **April 30, 2024** to Request 100% Reimbursement of CDBG funds from the County.
- c. These said dates shall be revised under the following Sections of the Agreement:

**i. SECTION 6. MAXIMUM COMPENSATION**

**ii. SECTION 7. TIME OF PERFORMANCE**

**iii. EXHIBIT "A": SCOPE OF WORK - SECTION 1.G. PERFORMANCE REQUIREMENTS**

Except as modified by Amendment 001 and this Amendment 002, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof. This Amendment 002 is expressly contingent upon the approval of the County and shall become effective only when signed by all parties.

**IN WITNESS WHEREOF**, the Subrecipient has hereunto set its hand the day and year above written and caused this Amendment 002 to be executed.

(SUBRECIPIENT SEAL BELOW)

**CITY OF GREENACRES**

By: \_\_\_\_\_  
Joel Flores, Mayor

By: \_\_\_\_\_  
Quintella Moorer, City Clerk

By: \_\_\_\_\_  
Andrea McCue, City Manger

By: \_\_\_\_\_  
Attorney for Subrecipient  
(Signature Optional)

**IN WITNESS WHEREOF**, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment 002 on behalf of the County.

**PALM BEACH COUNTY, FLORIDA, a  
Political Subdivision of the State of Florida  
For its BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Jonathan B. Brown, Director  
Dept. of Housing & Economic Development

**Approved as to Form and  
Legal Sufficiency**

**Approved as to Terms and Conditions  
Dept. of Housing & Economic Development**

By: \_\_\_\_\_  
Howard J. Falcon III  
Chief Assistant County Attorney

By: \_\_\_\_\_  
Sherry Howard  
Deputy Director



**AGREEMENT REVISION REQUEST/APPROVAL**

**AGREEMENT BETWEEN PALM BEACH COUNTY**

**AND**

**City of Greenacres**

**PROJECT AND FUNDING DESCRIPTION (R2022 - 1209)**

Original Section Sewer Swain Blvd. North Ph 1, sanitary sewer improvements located between 10th Ave. N. and Biscayne Blvd. in the City of Greenacres. CDBG FY22-23 provided funding in the amount of \$198,947.00. Amendment 001 (R2023-0312) dated November 14, 2022 changed the contract award date from December 31, 2022 to April 2023. This modification request will not change the total reimbursement for CDBG funds allocated.

**REQUESTED REVISION:** The City of Greenacres is requesting a modification to our agreement R2022-1209 to adjust the date of completion of the project due to an unforeseen condition for a utility conflict. Although the date for full reimbursement of CDBG funds will need to change, the City is requesting a project completion date change of the work from November of 2023 to February 28, 2024 due to the nature of the work.

**JUSTIFICATION:** The modification to the agreement is due to a water main deflection related to a conflict with a concrete storm sewer pipe. The conflict is located on Swain Boulevard, just north of Biscayne Drive.

Authorized Signatory, City/Town

Name & Title: Carlos I. Cedeño, Public Works Director

Date: November 21, 2023

**REVISION ACTION**

**AMENDMENT REQUIRED**  YES  NO

**NOTE: This Section to be Completed by DHED Contract Development and Quality Control Division. IN ACCORDANCE WITH SECTION 7. TIME OF PERFORMANCE:**

"services required herein shall be completed by the Subrecipient prior to December 31, 2023". Therefore, the Agreement Performance dates shall be Amended as follows:

- Complete Completion by: March 31, 2024
- Request 100% of Reimbursement of CDBG Funds prior to: April 30, 2024
- SECTION 7. TIME OF PERFORMANCE SHALL BE PRIOR TO: April 30, 2024

**ACCEPTANCE OF WRITTEN REQUEST AND APPROVAL OF PROPOSED REVISION**

Except as revised by this request, the Agreement remains in full force and effect in accordance with the terms thereof.

By: Jonathan Brown  
Jonathan B. Brown, Director  
Department of Housing & Economic Development

Date: 11/27/2023

CC Andrea McCue, City Manager, City of Greenacres  
Jeffrey Bolton, DHED Contract Development and Quality Control



November 21, 2023

Johnathan B. Brown, Director  
Department of Housing & Economic Development  
100 Australian Avenue, Suite 500  
West Palm Beach, FL 33413

Re: **Modification to Original Section Sewer Swain Blvd. North Ph 1  
CDBG Capital Improvements Agreement R2022-1209 (FY 2023-2024)**

Joel Flores  
Mayor

John Tharp  
Councilmember  
District I

Peter A. Noble  
Councilmember  
District II

Judith Dugo  
Councilmember  
District III

Susy Díaz  
Councilmember  
District IV

Paula Bousquet  
Councilmember  
District V

Dear Mr. Brown:

The City of Greenacres would like to request a modification to our agreement for the above project to adjust only the date of completion of the project due to an unforeseen condition for a utility conflict requiring additional time. The date for full reimbursement of CDBG funds will not need to change. We would like to change the date of project completion of the work from November of 2023 to February 28, 2024. This modification request will not change the total reimbursement for CDBG funds allocated.

Please do not hesitate to contact me if you any questions via email at [ccedeno@greenacresfl.gov](mailto:ccedeno@greenacresfl.gov) or telephone at (561) 642-2071.

Sincerely,

Carlos Cedeño  
Public Works Director

Cc (via email):  
Zach Gamble, Craven Thompson & Associates  
Andrea McCue, City Manager  
Teri Beiriger, Finance Director