

**LOCALLY FUNDED AGREEMENT
AMENDMENT No. 1**

This Agreement made by and entered into on this _____ day of _____, 2011, by and between the State of Florida, Department of Transportation whose address for purposes of this agreement is 11201 North McKinley Drive, Tampa, Florida, 33612-6403, (hereinafter called the "DEPARTMENT"), and Pasco County, whose address for purposes of this agreement is 7530 Little Road, Suite 340, New Port Richey, Florida 34654 (hereinafter called the COUNTY); and

WITNESSETH

WHEREAS, the DEPARTMENT is authorized to enter into agreements with governmental entities in accordance with Chapter 334.044, Florida Statutes; and

WHEREAS, on February 19, 2010, the DEPARTMENT and the COUNTY entered into a Locally Funded Agreement (LFA) to design and construct access management median modifications on US 19 (SR 55), from the Pinellas County Line to Marine Parkway and Marine Parkway to the Hernando County line, said project being identified as Financial Project Numbers (FPN) 418860 4 52 01 and 418860 5 52 01 as described in the DEPARTMENT's Five-Year Adopted Work Program (hereinafter referred to as the "PROJECT"); and

WHEREAS, the DEPARTMENT's project design and construction phase is currently underway and requires a modification to reduce the amount of funds needed to complete the PROJECT; and

WHEREAS, the COUNTY by Resolution Number _____ dated the _____ day of _____, 2011, a copy of which is attached hereto and made a part hereof, has authorized its Chairman of its Board of Commissioners to enter into this Agreement.

WHEREAS, the DEPARTMENT and the COUNTY shall act in accordance with the original Agreement and this amendment upon its execution; and

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Locally Funded Agreement is to be amended as follows:

WITNESSETH, 5th WHEREAS, is amended to read: The COUNTY also agrees to provide an additional deposit in Fiscal Year 2011/12 in the amount of \$1,921,821.00 (*One Million, Nine Hundred Twenty-One Thousand, Eight Hundred Twenty-One Dollars*) for the median modifications for FPN 418860 5 52 01 (by July 29, 2011); and

Section 3, FINANCIAL PROVISIONS, Paragraph 3.2, Second Sentence is amended to read: The COUNTY also agrees that it will furnish an additional deposit in the amount of \$1,921,821.00 (*One Million, Nine Hundred Twenty-One Thousand, Eight Hundred Twenty-One Dollars*) for the construction of FPN 418860 5 52 01 in Fiscal Year 2011/12 (by July 29, 2011). The DEPARTMENT may utilize this deposit for payment of the costs of the project.

EXHIBIT “A”, PROJECT BUDGET, is amended to read: I. Total Estimated Cost - \$6,671,821, II. Project Participation – Local Participation - \$4,750,000 (FY 2010) and \$1,921,821 (FY 2012).

EXHIBIT “B”, SPECIAL CONSIDERATIONS BY THE COUNTY, is amended to read: The COUNTY agrees to deposit the amount of \$1,921,821.00 (*One Million, Nine Hundred Twenty-One Thousand, Eight Hundred Twenty-One Dollars*) in fiscal year 2011/12 (by July 29, 2011) for the estimated cost of the project.

EXHIBIT “C”, MEMORANDUM OF AGREEMENT, No. 2, is amended to read: A future deposit in the amount of \$1,921,821.00 (*One Million, Nine Hundred Twenty-One Thousand, Eight Hundred Twenty-One Dollars*) in fiscal year 2011/12 (by July 29, 2011) will be made by the COUNTY for the project construction phase as indicated in the LFA.

IN WITNESS WHEREOF, the parties hereto have caused these presents be executed, the day and year first above written.

PASCO COUNTY

ATTEST:

BY: _____ (SEAL)
CLERK

BY: _____
ANN HILDEBRAND, CHAIRMAN
PASCO COUNTY BOARD OF
COUNTY COMMISSIONERS

Date Approved by Commission: _____

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

ATTEST _____ (SEAL)
EXECUTIVE SECRETARY

BY: _____
DEBBIE HUNT
DIRECTOR OF TRANSPORTATION
DEVELOPMENT, DISTRICT SEVEN

DATE

ATTORNEY
DEPARTMENT OF TRANSPORTATION