

**2nd AMENDMENT TO INTERLOCAL AGREEMENT
FOR ENGINEERING DESIGN, PERMITTING AND CONSTRUCTION SERVICES
FOR DENNIS STREET PUMP STATION (KEY WEST) PROJECT**

THIS 2nd AMENDMENT TO INTERLOCAL AGREEMENT is made and entered into as of this 18th day of January 2023, between Monroe County, a political subdivision of the State of Florida, (hereinafter the COUNTY), and the City of Key West, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter the CITY).

WHEREAS, The COUNTY and CITY entered into an Interlocal Agreement for Engineering Design, Permitting and Construction Services for Dennis Street Pump Station on February 19, 2020 (ILA), which was amended on March 17, 2021; and

WHEREAS, the ILA indicates that the COUNTY will pay the CITY progress payments but Attachment A indicates that payment will be made at substantial completion; and

WHEREAS, the pump station is operating and the COUNTY is preparing to tie in to the pump station and begin using it but substantial completion has not been achieved due to some final outstanding items in the construction contract; and

WHEREAS, the COUNTY wishes to reimburse the CITY for its percentage share of the capital construction cost of the work completed to date;

NOW THEREFORE, in consideration of the mutual promises and conditions contained herein, the parties agree to amend the ILA as follows:

1. Attachment A Paragraph 1.8 shall be amended to state that payment shall be made by periodic progress payments based on work completed in accordance with paragraph 4 of the ILA in lieu of upon substantial completion of the construction of the Pump Station.
2. The ILA dated February 19, 2020, amended March 17, 2021, and as amended herein, shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: _____
Mayor Craig Cates

(SEAL)

KEVIN MADOK, Clerk

By: _____
As Deputy Clerk

CITY OF KEY WEST, FLORIDA

(SEAL)

By: _____
Mayor

ATTEST:

Clerk