

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH PORT, FLORIDA AND
CHARLOTTE COUNTY FOR DESIGN, ENGINEERING, AND PERMITTING
OF JOINT ROAD WIDENING PROJECT**

This *First Amendment* to the Interlocal Agreement between the City of North Port, Florida and Charlotte County for Design, Engineering, and Permitting of Joint Road Widening Project (“First Amendment”) is made and entered into by and between the City of North Port, Florida, a municipal corporation of the State of Florida (“City”) and Charlotte County, Florida, a political subdivision of the State of Florida (the “County”).

RECITALS

WHEREAS, on or around March 24, 2020, the parties entered into an Interlocal Agreement Between the City of North Port, Florida and Charlotte County for Design, Engineering, and Permitting of Joint Road Widening Project (the “Original Agreement”) to provide resources for the design, engineering, and permitting of the roadway widening of Cranberry Boulevard to four lanes between U. S. Highway 41 and Hillsborough Boulevard, and for improvements to the intersections at U. S. Highway 41 and Hillsborough Boulevard which are located within the jurisdiction of both the City and the County (collectively the “Project”); and

WHEREAS, Section 2 of the Original Agreement specifies that the actual cost for the design and permitting of a selected geometric reconfiguration for the connection of Cranberry Boulevard, Hillsborough Boulevard, and U. S. Highway 41 will not exceed \$300,000; and

WHEREAS, the negotiated fee with the top ranked professional engineering firm exceeds the \$300,000 amount required by the Original Agreement; and

WHEREAS, pursuant to Section 10.3 of the Original Agreement the parties desire to amend the Original Agreement to increase the not to exceed amount for the Project’s actual cost.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree that the Original Agreement is amended as follows, with all other terms in the Original Agreement remaining unchanged and in full force and effect:

1. EFFECT OF AMENDMENT/EFFECTIVE DATE

- A. The parties ratify the terms and conditions of the Original Agreement not inconsistent with this First Amendment, all of which are incorporated by reference as if set forth fully herein. This First Amendment modifies the sections of the Original Agreement as identified herein. Where a section of the Original Agreement is not identified, the terms as they appear in the Original Agreement remain and apply.
- B. All references to this “Agreement” in the Original Agreement and this First Amendment mean and include both the Original Agreement and this First Amendment.

C. This First Amendment is effective as of the date the last party signs it as identified below (the "Effective Date") and shall continue as otherwise provided in the Original Agreement.

2. ORIGINAL AGREEMENT SECTION 2 – PROJECT COST

Section 2 of the Original Agreement is amended in its entirety as follows:

2. **PROJECT COST.** The City and the County agree to equally fund the following Project costs and to split the costs presented equally between the parties:

2.1 The engineering study for an intersection analysis, at a cost of \$142, 393.04; and

2.2 The actual cost, which shall not exceed \$389,160.00, for the design and permitting of the Refined Build Alternate 2 geometric reconfiguration for the connection of Cranberry Boulevard, Hillsborough Boulevard, and U.S. Highway 41, and

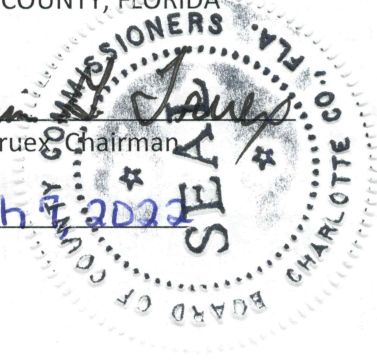
2.3 A contingency amount of \$8,000.00, as approved and upon written authorization by City staff in consultation with County staff.

IN WITNESS WHEREOF, the parties have executed this First Amendment as follows.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman

Date: March 7, 2023



ATTEST:
Roger D. Eaton, Clerk of Circuit Court
and Ex-Officio Clerk to the Board of
County Commissioners

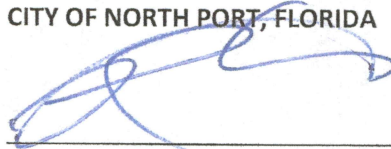
By: Dawn Snelaski
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR21-0875 PSP PSP

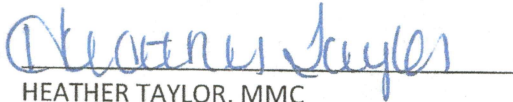
Approved by the City Commission of the City of North Port, Florida on Feb 22, 2022.

CITY OF NORTH PORT, FLORIDA



PETE EMRICH
MAYOR

ATTEST



HEATHER TAYLOR, MMC
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS



AMBER L. SLAYTON
CITY ATTORNEY