

FIRST AMENDMENT  
BETWEEN THE CITY OF CLEARWATER  
AND PINELLAS COUNTY FOR  
THE JOINT PROJECT AGREEMENT: HIGHLAND AVENUE DRAINAGE  
IMPROVEMENTS FROM JEFFORDS STREET TO PINE STREET

THIS FIRST AMENDMENT is made and entered into on this 31st day of March, 2018, by and between PINELLAS COUNTY, a public corporation of the State of Florida whose address is 315 Court Street, Clearwater, FL 33756, hereinafter referred to as the "COUNTY," and the City of Clearwater, a municipal corporation of the State of Florida, whose address is 100 South Myrtle Avenue, Clearwater, Florida, 33756, hereinafter referred to as the "CITY", collectively Parties.

WITNESSETH:

WHEREAS, the COUNTY will be constructing a capital improvement program plan referred to as Highland Avenue Drainage Improvements, from Jeffords Street to Pine Street "Project"; and

WHEREAS, the COUNTY and the CITY previously entered into an agreement on March 31, 2017, hereinafter referred to as the Agreement, to provide funding for the CITY's Utility Work to be completed by the COUNTY's contractor as part of construction of the Project; and

WHEREAS, Section 11 of the Agreement provides that the Agreement may be amended where agreed to in writing by the Parties; and

WHEREAS, both the COUNTY and the CITY desire to extend the Agreement duration.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the parties agree as follows:

1. Section 18. Agreement Term is hereby amended in its entirety as follows:

If the County fails to issue a Notice to Proceed to a contractor for the Project within 365 days from the date of full execution of this FIRST AMENDMENT by the Parties, the Agreement shall be deemed terminated and any payments made by the CITY to the COUNTY shall be refunded in full by the COUNTY within 30 days.

2. This FIRST AMENDMENT shall be retroactive to the date first entered above.
3. Except as changed or modified by this FIRST AMENDMENT, all provisions and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused these presents to be duly executed, as of the day and year first above-mentioned.

PINELLAS COUNTY, FLORIDA

BY: Mark S. Woodard  
Mark S. Woodard, County Administrator

APPROVED AS TO FORM  
By: Cheryl Dorian Pembert  
Office of the County Attorney

CITY OF CLEARWATER

BY: William B. Horne II  
William B. Horne, II  
City Manager

ATTEST: Rosemarie Call  
City Clerk  
Rosemarie Call



APPROVED AS TO FORM:  
By: Owen Kohler  
Owen Kohler  
Assistant City Attorney