

FIRST AMENDMENT TO
GRANT AWARD AGREEMENT
(Okaloosa County /Project #43)

THIS FIRST AMENDMENT TO GRANT AWARD AGREEMENT (this “**Amendment**”) is made and entered into as of May 31, 2022, by and between TRIUMPH GULF COAST, INC., a Florida not-for-profit corporation (“**Triumph**”), and OKALOOSA COUNTY, FLORIDA, a political subdivision of the State of Florida, acting through its duly authorized Board of County Commissioners (“**Grantee**”).

WITNESSETH:

WHEREAS, Triumph and Grantee are parties to that certain Grant Award Agreement dated August 7, 2018, as modified by extension agreement dated June 19, 2020 (as modified, the “**Agreement**”). All capitalized terms herein shall have the meanings set forth in the Agreement; and

WHEREAS, Grantee has requested that certain amendments be made to the Agreement; and

WHEREAS, Triumph is agreeable to such amendments as described herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Triumph and Grantee hereby agree as follows:

1. **Amendment to Description of Project.** The first Recital of the Agreement is hereby amended to read as follows:

“WHEREAS, pursuant to its authority under Section 288.8017, Florida Statutes, Triumph has agreed to make a Grant (as defined below) to Okaloosa County, on and subject to the terms and conditions set forth in this Agreement, to provide partial funding for a project (the “**Project**”) (i) to extend water and sewer mains along Highway 90 East to an area being primed for industrial, residential, and commercial growth, which includes the parcel known as the “Shoal River Ranch Mega Site” to support a 588 industrially-zoned acre development located within the Shoal River Ranch Gigasite, the largest portion of which is a 500 acre parcel located approximately 2500’ from the terminus of the proposed water and sewer mains, and (ii) for design, engineering, and construction to extend water and sewer mains along an approximately 2,500’ portion of Jericho Road adjacent to the +/- 331 acre industrial-zoned parcel now owned by Grantee as shown on Exhibit “D” attached hereto, all as further described in the Okaloosa County’s Application for Funds submitted to Triumph on March 22, 2018 (the “Grant Application”), which Grant Application is incorporated herein by reference.”

2. **Amendment to Section 5.1.** The definition of “Completion Deadline” as set forth in Section 5.1 of the Agreement is hereby changed to “October 31, 2023.”

3. **Amendment to Budget.** The Budget attached as Exhibit “B” to the Agreement is hereby deleted and replaced with the Budget attached hereto as Exhibit “B” and incorporated herein. All references to the Budget in the Agreement shall hereafter mean and refer to the Budget attached hereto as Exhibit “B.”

4. **Depiction of Project.** The Depiction attached hereto as Exhibit "D" is hereby added as Exhibit "D" to the Agreement and incorporated therein.

5. **No Other Amendments.** Except as expressly provided above, the Agreement shall remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment be executed as of the day and year first above written.

GRANTEE:

TRIUMPH:

OKALOOSA COUNTY:

TRIUMPH GULF COAST, INC., a Florida not-for-profit corporation

Okaloosa County, Florida, a political subdivision of the State of Florida, acting through its duly authorized Board of County Commissioners

By: Mel Ponder
Print Name: Mel Ponder
Title: Chairman

By: Don Gaetz
Print Name: Don Gaetz
Title: Chairman

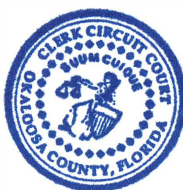
By: Raymond
Print Name: Raymond
Title: Treasurer

ATTEST:

By: JD Peacock
Print Name: JD Peacock
Title: Clerk of the Court

ATTEST:

By: Susan Skelton
Print Name: Susan Skelton
Title: Secretary



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EXHIBIT “B”

Budget

(see attached)

Exhibit A**Project #43, Okaloosa Highway 90 East Water and Sewer Expansion****Budget**

Estimated construction start date if applicable

Bid process concluding then construction will begin

Estimated education component start date if applicable

	Personnel & Fringe	Equipment	Design, Prof services and permitting	Construction	Total
Please change year # to actual year					
Project Total					
Calendar Year Pre-award	-	-	1,443,171.00	-	1,443,171.00
Calendar Year 2018	-	-	-	-	-
Calendar Year 2019	-	-	-	-	-
Calendar Year 2020	-	-	167,527.00	-	167,527.00
Calendar Year 2021	-	-	54,568.00	1,787,182.00	1,841,750.00
Calendar Year 2022	-	-	160,000.00	-	160,000.00
Calendar Year 2023	-	-	-	590,723.00	590,723.00
Calendar Year 8	-	-	-	-	-
Calendar Year 9	-	-	-	-	-
Calendar Year 10	-	-	-	-	-
Calendar Year 11	-	-	-	-	-
Project Total	-	-	1,825,266.00	2,377,905.00	4,203,171.00
Triumph					
Calendar Year Pre-award	-	-	-	-	-
Calendar Year 2018	-	-	-	-	-
Calendar Year 2019	-	-	-	-	-
Calendar Year 2020	-	-	90,967.00	-	90,967.00
Calendar Year 2021	-	-	29,630.00	970,440.00	1,000,070.00
Calendar Year 2022	-	-	86,880.00	-	86,880.00
Calendar Year 2023	-	-	-	322,083.00	322,083.00
Calendar Year 8	-	-	-	-	-
Calendar Year 9	-	-	-	-	-
Calendar Year 10	-	-	-	-	-
Calendar Year 11	-	-	-	-	-
Triumph Total	-	-	207,477.00	1,292,523.00	1,500,000.00
Grantee (Okaloosa County)					
Calendar Year Pre-award	-	-	1,443,171.00	-	1,443,171.00
Calendar Year 2018	-	-	-	-	-
Calendar Year 2019	-	-	-	-	-
Calendar Year 2020	-	-	76,560.00	-	76,560.00
Calendar Year 2021	-	-	24,938.00	816,742.00	841,680.00
Calendar Year 2022	-	-	73,120.00	-	73,120.00
Calendar Year 2023	-	-	-	268,640.00	268,640.00
Calendar Year 8	-	-	-	-	-
Calendar Year 9	-	-	-	-	-
Calendar Year 10	-	-	-	-	-
Calendar Year 11	-	-	-	-	-
Grantee Total	-	-	1,617,789.00	1,085,382.00	2,703,171.00

Match Source 1

Calendar Year 1

BIDDER

EXHIBIT “D”

Depiction of Project

[see attached]

