

**SECOND AMENDMENT TO JOINT PARTICIPATION AGREEMENT FOR  
CARIBBEAN BOULEVARD FROM CORAL SEA ROAD TO SW 87 AVENUE  
BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF CUTLER BAY**

This Second Amendment to the Joint Participation Agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the TOWN OF CUTLER BAY, FLORIDA, a municipal corporation of the STATE OF FLORIDA, hereinafter referred to as the "Town", and MIAMI-DADE COUNTY, a political subdivision of the STATE OF FLORIDA, hereinafter referred to as the "County".

**WITNESSETH**

WHEREAS, pursuant to Resolution No. R-353-09, approved by the Board of County Commissioners of Miami-Dade County, Florida, on April 7, 2009, the parties hereto entered into a Joint Participation Agreement (JPA) to facilitate the design and construction of roadway improvements along Caribbean Boulevard from Coral Sea Road to SW 87 Avenue, as more particularly described in the JPA (the "Project"); and

WHEREAS, pursuant to Resolution No. R-515-14, approved by the Board of County Commissioners of Miami-Dade County, Florida, on June 3, 2014, the parties hereto amended the Caribbean Boulevard JPA to extend the Project limits to include the portion of Caribbean Boulevard from Canal C-100 to Coral Sea Road and to use surplus funds from the Caribbean Boulevard JPA for the design and construction of roadway improvements along Caribbean Boulevard from Canal C-100 to Coral Sea Road; and

WHEREAS, the Town has requested to extend the current Project limits to include the portion of Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100; and

WHEREAS, pursuant to Resolution No. R-358-09, approved by the Board of County Commissioners of Miami-Dade County, Florida, on April 7, 2009, the parties hereto entered into a JPA to facilitate the design and construction of roadway improvements along Old Cutler Road from SW 97 Avenue to SW 87 Avenue; and

WHEREAS, the Old Cutler Road project was completed and there is a surplus of funds from the Old Cutler Road JPA; and

WHEREAS, the Town has requested to use the surplus funds from the Old Cutler Road JPA for the design and construction of roadway improvements along Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100,

NOW, THEREFORE, in consideration of the mutual desires of the parties hereto, the following modifications are made to the Caribbean Boulevard JPA:

1. The first WHEREAS clause is replaced in its entirety with the following:

WHEREAS, both parties herein wish to facilitate the construction of a road improvement project in MIAMI-DADE COUNTY, hereinafter referred to as the "Project" described as follows:

The design and construction of a roadway improvement project along Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to SW 87 Avenue, which includes the reconstruction of the existing two (2) lanes, with continuous storm drainage, curb and gutter, enhanced lighting, traffic

signalization, landscaping, sidewalks, pedestrian crosswalks, bike lanes, bus pullout bays, and intersection improvements; and

2. The following modifications are made to Section 2.1, Funding Amount, Reimbursement of Project Costs:

Funding Amount, Reimbursement of Project Costs: The County agrees to provide funds up to \$ 40,231,940 \$11,219,877.30 (this amount includes 10% contingency) for eligible costs, as defined herein, incurred by the Town for the design and construction of the Project. The County shall disburse to the Town funds for the Project in the manner set forth in this Section. The County shall incur no liability for any costs in excess of said funding amount unless there has been a duly authorized increase approved by the Board of County Commissioners.

3. The following modifications are made to Section 2.2, County Payments of Project Costs:

<u>Funding Amount</u>	<u>Funding Source</u>	<u>Limits</u>	<u>Project Phase</u>	<u>County Fiscal Year of Commitment</u>
\$ 508,174	PTP	Coral Sea Road to SW 87 Avenue	Design	2010-2011
\$ 2,187,372	PTP	Coral Sea Road to SW 87 Avenue	Construction	2010-2011
\$ 5,599,040	PTP	Coral Sea Road to SW 87 Avenue	Construction	2011-2012
\$ 103,139	PTP	Canal C-100 to Coral Sea Road	Design	2011-2012
\$ 1,834,215	PTP	Canal C-100 to Coral Sea Road	Construction	2011-2012
<u>\$ 42,771.10</u>	<u>PTP</u>	<u>Homestead Extension of Florida's Turnpike to Canal C-100</u>	<u>Design</u>	<u>2014-2015</u>

<u>\$ 945,166.20</u>	<u>PTP</u>	<u>Homestead Extension of Florida's Turnpike to Canal C-100</u>	<u>Construction</u>	<u>2014-2015</u>
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In all other respects, except as herein amended, the original JPA shall remain unchanged and in full force and effect.

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

ATTEST:  
HARVEY RUVIN  
CLERK OF THE BOARD

MIAMI-DADE COUNTY, FLORIDA,  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
Deputy Clerk

BY: \_\_\_\_\_  
County Mayor or County Mayor's Designee

Approved by County Attorney  
as to form and legal sufficiency \_\_\_\_\_  
County Attorney

ATTEST:

TOWN OF CUTLER BAY, a municipal  
corporation of the State of Florida

BY: \_\_\_\_\_  
Jacqueline N. Wilson  
Interim Town Clerk

BY: \_\_\_\_\_  
Peggy R. Bell  
Mayor

(Affix Town Seal)

Approved by Town Attorney  
as to form and legal sufficiency \_\_\_\_\_  
Mitchell A. Bierman  
Weiss, Serota, Helfman,  
Cole & Bierman, P.L.  
Town Attorney