

SECOND AMENDMENT

This Amendment made and entered into this ____ day of _____, 2022, by and between Pinellas County, a political subdivision of the State of Florida (“County”) and the Florida Holocaust Museum, Inc., a Florida non-profit corporation (“Museum”) (collectively, the “Parties” or individually a “Party”).

WITNESSETH:

WHEREAS, the County and Museum entered into a Capital Project Funding Agreement on June 2, 2020 (hereinafter “Agreement”), pursuant to which County agreed to provide Museum funding for improvements to the Florida Holocaust Museum (“Project”); and

WHEREAS, pursuant to the Museum’s request, on January 13, 2021, the County approved the First Amendment to the Agreement to extend the Commencement Date from January 31, 2021, to April 20, 2022; and

WHEREAS, due to additional delays brought on by Covid -19, the Museum has requested the Project commencement and completion dates be amended; and

WHEREAS, according to section III.E. of the Capital Project Funding Program (CPFP) Guidelines, Capital Project completion timelines may not exceed three years from the Agreement execution date; and

WHEREAS, the Board of County Commissioners may waive that section of the CPFP Guidelines and allow an extension to the Museum’s Project timeline.

NOW THEREFORE, the Parties agree that the Agreement is amended as follows:

1. As to the Capital Project herein, the BCC waives application of section III.E. of the Capital Project Funding Program Guidelines, requiring a project completion timeline that does not exceed three years from the Agreement execution date. Accordingly, Section 4.D of the Agreement is amended in its entirety to read: “The Commencement Date occurs no later than April 30, 2024, and the Capital Project is completed no later than March 31, 2025.”
2. Except as changed or modified herein, all provisions and conditions of the original Agreement shall remain in full force and effect.

Each party to this Amendment represents and warrants that: (i) it has the full right and authority and has obtained all necessary approvals to enter into this Amendment; (ii) each person executing this Amendment on behalf of the Party is authorized to do so; (iii) this Amendment; constitutes a valid and legally binding obligation of the Party, enforceable in accordance with its terms.

<Signature page follows>

IN WITNESS WHEREOF the parties herein have executed this Amendment as of the day and year first written above.

PINELLAS COUNTY, FLORIDA
by and through its
Board of County Commissioners

FLORIDA HOLOCAUST MUSEUM, INC.

BY: _____
Chair

By:  _____
Michael A. Igel, Chairman

ATTEST:
KEN BURKE
Clerk of the Circuit Court

BY: _____
Deputy Clerk

APPROVED AS TO FORM
By: Michael A. Zas
Office of the County Attorney