

**STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT DW062480
CITY OF POMPANO BEACH**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF POMPANO BEACH, FLORIDA, (Project Sponsor) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Project Sponsor shall be referred to as “Parties” or individually as “Party”.

The Department and the Project Sponsor entered into a State Revolving Fund Loan Agreement, Number DW062480, as amended, authorizing a Loan amount of \$9,200,000, excluding Capitalized Interest; and

The Semiannual Loan Payment amount and Project costs need adjustment to reflect actual costs; and

Certain provisions of the Agreement need to be revised.

The Parties hereto agree as follows:

1. The total amount awarded is \$9,200,000.
2. The Loan Service Fee is \$184,000. The fee represents two percent of the Loan amount excluding Capitalized Interest; that is, two percent of \$9,200,000.
3. The total amount of the Loan is \$9,415,852.44. This consists of \$9,200,000.00 disbursed to the Project Sponsor, plus accrued Capitalized Interest of \$31,852.44 and service fee charges of \$184,000.00.
4. The Semiannual Loan Payment amount is hereby revised and shall be in the amount of \$277,063.19. Such payments shall be received by the Department on August 15, 2024, and semiannually thereafter on February 15 and August 15 of each year until all amounts due hereunder have been fully paid.
5. Subsection 2.03(1) of the Agreement is deleted and replaced as follows:
 - (1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

State Resources Awarded to the Project Sponsor Pursuant to this Agreement Consist of the Following:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Drinking Water Revolving Loan TF	37.076	Drinking Water Facility Construction	\$9,200,000	140129

6. Project Costs are revised as follows:

The Project Sponsor and the Department acknowledge that changes in Project costs may occur as a result of an audit. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COSTS (\$)
Construction and Demolition	9,200,000.00
Capitalized Interest	31,852.44
TOTAL (Loan Principal Amount)	9,231,852.44

7. All other terms and provisions of the Loan Agreement shall remain in effect.

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This Amendment 2 to Loan Agreement DW062480 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Project Sponsor has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
CITY OF POMPANO BEACH

Rex Hardin, Mayor

Gregory P. Harrison, City Manager

Attest:

I attest to the opinion expressed in Section
2.02, entitled Legal Authorization.

Kervin Alfred, City Clerk

Mark E. Berman, City Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

Date