

Agreement Number: 07HM-4@04-55-01-080

Project Number: 1545-86-R

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
NASSAU COUNTY**

This Modification Number Two is made and entered into by and between the State of Florida, Division of Emergency Management, ("the Division"), and Nassau County ("the Recipient") to modify DCA Contract Number 07HM-4@04-55-01-080, dated June 20, 2007 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to the Recipient under the Hazard Mitigation Grants Program of \$57,792.00; and

WHEREAS, the Agreement expired on August 31, 2010; and

WHEREAS, the Division and the Recipient desire to reinstate the Agreement and to extend the term of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is hereby reinstated as though it had never expired.
2. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin December June 20, 2007, and shall end August 31, 2011, unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

3. All provisions of the Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective as of the date of the last execution of this Modification by both parties.
4. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.
5. Quarterly reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

IN WITNESS WHEREOF, the parties hereto have executed this document as of the dates set out below.

RECIPIENT: NASSAU COUNTY

DIVISION OF EMERGENCY MANAGEMENT

By: Michael H. Boyle


By: David Halstead

Name and Title: Michael H. Boyle, Chairman

Name and Title: David Halstead, Director

Date: 9-27-10

Date: 11/3/10

*EDK
9/27/10*

**ATTEST AS TO CHAIRMAN'S
SIGNATURE ONLY**

Attachment A (2nd Revision)

Budget and Scope of Work

Scope of Work

As a Hazard Mitigation Grant Program project, the Recipient, Nassau County, will wind retrofit the Fernandina Beach Fire & Rescue Headquarters located at 225 South 14th Street, Fernandina Beach, Florida 32034, by purchasing and installing storm shutters. If deemed necessary, wind protection will be provided on any other openings such as skylights, vents, louvers and exhaust fans. All installations will be done in strict compliance with the Florida Building Code or Miami-Dade Specifications. All materials will be certified to meet the wind and impact standards of the current local codes. The local municipal or county building department will inspect and certify installation according to the manufacturer's specifications.

This is FEMA project **1545-86-R**, funded under 1545-DR-FL.

The Period of Performance for this project ends on August 31, 2011.

Work Schedule

State Contracting:	4 Months
Update Contractor Proposals:	6 Months
Issue Purchase Order:	4 Months
Manufacture Materials:	15 Months 20 Days
Secure Permit:	4 Months
Window Installation followed by Building Inspection:	15 Months
<u>Building Inspection:</u>	<u>3 Months</u>
Total Period of Performance:	51 Months 20 Days

Budget

Line Item Budget*

	Project Cost	Federal Share	Local Share
Subcontract for Materials and Installation of Shutters:	<u>\$73,873.00</u>	<u>\$55,405.00</u>	<u>\$18,468.00</u>
Sub-Total:	<u>\$73,873.00</u>	<u>\$55,405.00</u>	<u>\$18,468.00</u>
<u>Administrative Cost:</u>	<u>\$ 0.00</u>	<u>\$ 2,387.00</u>	<u>\$ 0.00</u>
Total:	<u>\$73,873.00</u>	<u>\$57,792.00</u>	<u>\$18,468.00</u>

** Any line item amount in this Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

Funding Summary

Federal Share:	\$55,405.00 (75%)
<u>Local Share:</u>	<u>\$18,468.00 (25%)</u>
Total Project Cost:	\$73,873.00 (100%)

Recipient Administrative Allowance up to \$2,387.00.

The materials and work funded pursuant to this Subgrant Agreement are intended to decrease the vulnerability of the building to property losses and are specifically not intended to provide for the safety of inhabitants before, during or after a natural man made disaster.

The funding provided by the Division of Emergency Management under this subgrant shall compensate for the materials and labor for the installation of storm shutters and/or other hardening activities as a retrofit measure for the Recipient's building to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards. The funding of this project by the Department does not confer or imply any warranty of use or suitability for the work performed pursuant to this agreement. The State of Florida disclaims all warranties with regard to this mitigation project, express or implied, including but not limited to, any implied warranties and/or conditions of satisfactory quality and fitness for a particular purpose, merchantability, or merchantable quality.

This project has not been evaluated by the criteria contained in the standards of the Department of Homeland Security, Federal Emergency Management Agency (FEMA) guidance manual FEMA 361-Design and Construction for Community Shelter, and thus does not provide "near absolute protection." It is understood and agreed by the Department and the Recipient that the building may have vulnerabilities due to age, design and location which may result in damage to the building from wind events even after the installation of the mitigation measures funded under this Subgrant Agreement. It is further understood and agreed by the Department and the Recipient that the level of wind protection provided by the mitigation action, although meeting State standards and codes and enhancing the structural integrity of the building, does not ensure the safety of survival of building occupants.