

**AMENDMENT ONE
TO THE FUNDING AND PROGRAM AGREEMENT
BETWEEN
THE DEPARTMENT OF ECONOMIC OPPORTUNITY
AND
ENTERPRISE FLORIDA, INC.**

On July 26, 2018, the Department of Economic Opportunity ("DEO") and Enterprise Florida, Inc. ("EFI") entered into Agreement Number S0116 (the "Agreement"). DEO and EFI are sometimes referred to herein individually as a "Party" and collectively as "the Parties".

WHEREAS, Specific Appropriation 2237, Chapter 2018-9, Laws of Florida, provides an appropriation of \$150,000 for Military Base Protection. The funds may only be disbursed from DEO directly to a grant award recipient when projects are certified to have met all contracted performance requirements; and

WHEREAS, Section 36 of the Agreement provides that renewals and amendments to the Agreement shall be in writing executed by both Parties thereto; and

WHEREAS, the Parties wish to amend the Agreement as set forth herein.

NOW THEREFORE, the Parties amend the Agreement as follows:

1. Article 2, Type of Agreement, is hereby deleted in its entirety and replaced with the following:

This Agreement is a fixed price and cost reimbursement agreement.

2. Article 4, Agreement Payment and Availability of Funds, is hereby deleted in its entirety and replaced with the following:

DEO shall pay EFI up to, but not to exceed, sixteen million one hundred fifty thousand dollars (\$16,150,000) in consideration for EFI's performance and services pursuant to this Agreement. Pursuant to section 287.0582, F.S., the State of Florida's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. DEO agrees to notify EFI, in writing, at the earliest possible time if and when funds are not appropriated or otherwise available. In the event of a State of Florida revenue shortfall, the total funding may be reduced accordingly.

3. The second unnumbered paragraph within Section I of the Scope of Work is hereby deleted in its entirety and replaced with the following:

The funding for this 2018-2019 fiscal year Agreement is specified in the Laws of Florida as follows: \$9,400,000 from the State Economic Enhancement and Development Trust Fund and \$6,600,000 from the Florida International Trade and Promotion Trust Fund for operational purposes and to maintain EFI's offices, but excluding expenditures on any incentive tools or programs. From the funds appropriated from the Florida International Trade and Promotion Trust Fund, EFI agrees to allocate \$3,550,000 for international programs, \$2,050,000 to maintain Florida's international offices, and \$1,000,000 to

continue the Florida Export Diversification and Expansion Programs. From Specific Appropriation 2237, DEO grants to EFI up to \$150,000 for Military Base Protection.

4. A new paragraph 6. is hereby included within Section II.A. of the Scope of Work to read:

6. EFI shall assist the Florida Defense Alliance (“FDA”) in supporting those defense related activities that serve to protect military installations and enhance the competitive position of Florida as the most military friendly state in the nation. EFI, by and through the FDA, may use Military Base Protection (“MBP”) Program funds to allow for one or more of the following activities:

- a. **Military Defense and Economic Impact Analysis** – Every other year, an economic impact analysis is conducted to assess the total economic impact to Florida of the military and defense industry. The study results in the publication of the Florida Defense Factbook – a resource utilized by the Governor, Legislature, and Florida Congressional Delegation. In 2017, this analysis revealed military and defense to be the 2nd leading economic driver of the Florida economy.
- b. **Florida Defense Alliance** – Established by section 288.980 of the Florida Statutes as an organization within EFI, the FDA may receive funding from appropriations made for the purposes of ensuring that Florida, its resident military bases and missions, and its military host communities are in competitive positions as the United States continues its defense realignment and downsizing. The FDA facilitates the collaboration of public-public and public-private partnerships. These partnerships develop creative solutions to leverage assets and resources to reduce operating costs of military installations. The local community would receive funding to facilitate the discussions and develop the plan, approach, presentation and model and study to leverage these assets to increase the value and capabilities of the shared service. The local community could utilize resources that are no longer needed at the installations by helping to find a home for or repurposing the resource for public use, saving the installations money from a disposal of goods or transportation of goods perspective.

5. A new deliverable, Deliverable 3, is hereby included within Section IV of the Scope of Work to read:

Deliverable 3 - Military Base Protection	Minimum Level of Service	Financial Consequences
EFI shall perform one or more of the activities set forth in paragraph II.A.6., above.	<p>EFI may be reimbursed upon demonstrating that one or more of the activities in paragraph II.A.6., above, has been completed, as demonstrated by:</p> <p>a) A completed military defense and economic impact study;</p>	Failure to perform will result in nonpayment for this Deliverable.

	b) Documentation demonstrating coordinated efforts and partnerships between the FDA and local communities to leverage assets to reduce operating costs of military installations and include ideas for utilizing and repurposing resources;	
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6. All other terms and conditions as amended remain in effect.

IN WITNESS HEREOF, the Parties agree to the terms and conditions as set forth in this Amendment as of the date last executed by the Parties.

ENTERPRISE FLORIDA, INC.

FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

By: _____

By: Chris Perry

Printed Name: Peter Antonacci

Printed Name: CHRIS PERRY

Title: CEO

Title: CHIEF OF STAFF

Date: 10/22/18

Date: 11.1.18

DEPARTMENT OF ECONOMIC OPPORTUNITY
Office of General Counsel
Approved as to Form and Legal Sufficiency

By: John S. Callery

Date: 10/29/2018