

**FIRST AMENDMENT TO AN AMERICAN RESCUE PLAN LOCAL FISCAL
RECOVERY FUNDING AGREEMENT BETWEEN POLK COUNTY AND
LAKE WALES CARE CENTER**

THIS FIRST AMENDMENT ("Amendment") to an American Rescue Plan Local Fiscal Recovery Funding Agreement is entered into as of April 1, 2024, by and between Polk County (the "County"), a political subdivision of the State of Florida, and Lake Wales Care Center ("Recipient"), a Florida not for profit corporation;


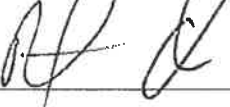
WHEREAS, the County and Recipient entered an American Rescue Plan Local Fiscal Recovery Funding Agreement dated September 20, 2022, and

WHEREAS, at the Recipient's request, the County has agreed to revise recipient's Scope of Use and Disbursement of Funding;

NOW, THEREFORE, in consideration of the mutual covenants stated in this Amendment and other valuable consideration, the parties hereby agree as follows:

1. The recitals stated above are true, correct, and the basis for this Amendment.
2. Unless otherwise defined herein, the terms used in this Amendment are defined in the Agreement.
3. As of the Amendment Effective Date Exhibit "A" Scope of Use is amended and restated in its entirety by the Amended and Restated Scope of Use attached to and made a part of this Amendment as Exhibit "A".
4. The Agreement as revised by this Amendment continues in force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the Amendment Effective Date.

Lake Wales Care Center
a Florida not for profit corporation
By: 
Name: Roy L. Wilkinson III
Title: Board Chair
ATTEST:
By: 
Name: Robert Quam
Title: Executive Director
Date Signed by Recipient: 8.13.24

POLK COUNTY, a political
subdivision of the State of Florida
By: _____
W.C. Braswell, Chair
Board of County Commissioners
ATTEST:
Stacy M. Butterfield, Clerk of the Board
By: _____
Deputy Clerk
Date Signed by County: _____
Reviewed as to form and legal sufficiency:

County Attorney's Office

AMENDED AND RESTATED SCOPE OF USE

Party we are entering the agreement with:

Lake Wales Care Center

Purpose of the program awarded the funding:

Acquire, repair, renovate, and further develop real property and improvements located within the greater Lake Wales area that will then be dedicated to Supportive Care Housing, housing for individuals/families who move from affordable rent with support to affordable housing. The program will include property located at 282 Park Avenue E., Lake Wales, FL 33853.

Community to be served:

Polk County Property in Lake Wales

Amount of the agreement:

\$1,000,000

Performance Measures/Documentation for the program:

1. Timely acquire required real property.
2. Develop and adhere to construction project schedule.
3. Control construction project costs.
4. Submit sufficient documentation to verify project costs.
5. Obtain a Certificate of Occupancy, Completion, or applicable document permitting use and occupancy in a timely manner.
6. After project completion, begin offering housing to individuals/families who have been in the Transitional Housing program to Supportive Care Housing program.

If the Recipient fails to satisfy one or more Performance Measures, the County may suspend further distribution of Recipient funds until all performance deficiencies are corrected.

Federal required documentation to validate reimbursement

1. Quote packages if applicable
2. Purchase orders if applicable
3. Invoices/Itemized Receipts
4. Proof of payment
 - a. Check and bank statement
 - b. Money order
 - c. Cash receipt
 - d. Electronic receipt

e. Bank statement

5. Payroll records (required to show time and wage)

a. Timecards (include name and date)

b. Proof of payment to employee

Project timeframes:

September 2022-December 2024 to track progress at quarterly intervals beginning at the mark of the first event.

Quarterly deadlines to be reported to the Budget Office as follows or until the funding has been completely disbursed at which time additional dates will be given:

- October 5, 2022 for the period July 2022-September 2022
- January 5, 2023 for the period October 2022-December 2022
- April 5, 2023 for the period January 2023-March 2023
- July 5, 2023 for the period April 2023-June 2023
- October 5, 2023 for the period July 2023-September 2023
- January 5, 2024 for period October 2023-December 2023
- April 5, 2024 for period January 2024-March 2024
- July 5, 2024 for period April 2024-June 2024
- October 5, 2024 for the period July 2024-September 2024
- January 5, 2025 for period October 2024-December 2024

Disbursement of funding:

The County will disburse the Recipient Funds in tranches of varying amounts. The Recipient will use the initial disbursement of \$400,000 to acquire the Project real property located at 282 Park Avenue E., Lake Wales, FL 33853. The County will make the initial disbursement upon receipt of the fully executed purchase and sale contract, and a finalized closing statement prepared for the transaction, but no earlier than seven (7) days prior to the scheduled closing date.

The Recipient will use additional tranches (approximately \$600,000 total) for project construction and soft costs. To receive the funds, the Recipient must submit a reimbursement package to the County with sufficient documentation to validate the Project construction and soft costs for which the Recipient seeks reimbursement.

Depending upon the costs that must be verified, the required documentation may include without limitation invoices, purchase orders, work orders, quotes, receipts, applications for payment, payment verifications, delivery verifications, payroll records, certifications, lien releases, pictures of acquired materials and completed work, certificates of substantial completion or occupancy (if applicable), and such other supporting documents the County may request from the Recipient.

The County's verification of the Recipient's previous expenditure of received Recipient Funds is a condition precedent to the County's disbursing additional remaining tranches of those funds.

In the event all funding is not utilized:

The organization will need to submit another proposal/application. In the new proposal, the awardee must detail why the supplemental items will be needed. The new proposal/application is not a guaranteed approval by the Board.

Administrative Fees

N/A

Exhibit "A"