

AMENDMENT NUMBER 1 TO AGREEMENT NUMBER 311291

BACKGROUND:

- On December 19, 2016, the State of South Dakota, acting by and through its Department of Transportation, referred to in this Amendment as the "STATE," and the City of Rapid City, South Dakota, referred to in this Amendment as the "MPO," entered into an agreement for accomplishing the Rapid City Area Metropolitan Transportation Planning Process, which agreement, referred to in this Amendment as the "AGREEMENT," was signed by representatives of each party and assigned Agreement Number 311291 by the STATE; and
- The parties wish to amend the AGREEMENT.

THE STATE AND THE MPO MUTUALLY AGREE AS FOLLOWS:

- Paragraph 1.A. of the AGREEMENT is amended to read as follows:
  - Scope of Work
    - The work to be performed under the terms of this Agreement for the Rapid City Metropolitan Transportation Planning Process will be conducted in accordance with the CY 2017 Unified Planning Work Program, incorporated in and attached to this Agreement as Attachment D, and the 2017 Unified Planning Work Program Amendment, Amendment Number 2017-01, incorporated in and attached to this Agreement as Attachment F.
- Paragraph 3.A. of the AGREEMENT is amended to read as follows:
  - Payment Procedures
    - The maximum limiting amount will not exceed Eight Hundred Sixty-two Thousand, Three Hundred Four Dollars (\$862,304) and cannot exceed the combined vouchering of the participating parties in the Rapid City Transportation Planning Process and for which this Agreement will be effective.
    - The maximum distribution of Federal Highway Administration Planning Funds is Eight Hundred Sixty-two Thousand, Three Hundred Four Dollars (\$862,304) for which this Agreement will regulate and be accountable for are as follows, until amended, for work in the CY 2017 Unified Planning Work Program.
- The MPO has designated the Mayor of Rapid City as the MPO's authorized representative and has empowered the Mayor with the authority to sign this Amendment on behalf of the MPO. A copy of the MPO's Committee minutes or resolution authorizing the execution of this Amendment by the Mayor as the MPO's authorized representative is attached to this Amendment as Exhibit M.

Except as amended above, all other provisions of the original AGREEMENT will remain in full force and effect.

City of Rapid City, South Dakota

By: \_\_\_\_\_  
 Steve Allender, Mayor Date

Attest:

\_\_\_\_\_  
 City Auditor/Clerk

[CITY SEAL]

Approved as to Form:

\_\_\_\_\_  
 City Attorney

Rapid City Metropolitan Planning Organization

By: \_\_\_\_\_  
 Robert Heidgerken Date  
 Chairperson, Executive Policy Committee

State of South Dakota  
Department of Transportation

By: \_\_\_\_\_  
 Darin P. Bergquist, Secretary Date

Recommended By:

\_\_\_\_\_  
 Michael Boehm, Planning and Engineering Director

Approved as to Form:

\_\_\_\_\_  
 Special Assistant Attorney General

**Attachment F**

**2017 Unified Planning Work Program Amendment Number 2017-01**

The Rapid City Metropolitan Planning Organization is requesting an amendment to the Federal Highway Administration Section of the 2017 Unified Planning Work Program to include added funding to complete remaining identified tasks under Professional Services/Consultants identified in the 2017 Unified Planning Work Program and to include additional funding and work activity within the *Professional Services/Consultant Services* identified in the 2017 Unified Planning Work Program as follows:

<b><u>Years</u></b>	<b><u>Project Description</u></b>	<b><u>Amount</u></b>
<b><u>Professional Services/Consultant Services</u></b>		
2017	MPO Website	\$16,000
2017	Regional Transit Feasibility Study	\$126,000
2017	Meade County Corridor Study – Erickson Ranch Rd to 143 <sup>rd</sup> Avenue	\$200,000
2017	SDDOT I-90 from Exit 61 to Exit 67	\$50,000
<b>Amendment Total</b>		<b>\$392,000</b>
<b>Approved 2017 Unified Planning Work Program Total</b>		<b>\$860,232</b>
<b>Amended 2017 Unified Planning Work Program Total</b>		<b>\$1,252,232</b>

The amounts and totals referenced above are subject to and conditioned upon final audit reconciliation between the City of Rapid City and the South Dakota Department of Transportation as work tasks are completed.

All the terms and conditions of the original agreement, as amended, and not specifically modified by this addendum shall remain in effect.

**Committee Approval Section:**

CAC Approval Date: \_\_\_\_\_  
TCC Approval Date: \_\_\_\_\_  
EPC Approval Date: \_\_\_\_\_

**City of Rapid City, South Dakota**

By: \_\_\_\_\_  
Mayor Date

Attest:

\_\_\_\_\_  
City Finance Officer  
[Seal]

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Assistant City Attorney

**South Dakota Department of Transportation  
Planning & Programs Approval:**

By: \_\_\_\_\_  
Bradley Remmich Date  
Metropolitan Planning Organization Coordinator

**Federal Highway Administration  
Approval Section:**

By: \_\_\_\_\_  
Mark Hoines Date  
Planning Coordinator, South Dakota Division

**Metropolitan Planning Organization**

By: \_\_\_\_\_  
Robert Heidgerken, Chair Date  
Executive Policy Committee

**2017 Unified Planning Work Program Amendment  
Amendment Number 2017-01**

2017 Amended UPWP	2017 Amended City of Box Elder	2017 Amended Rapid City	2017 Amended Pennington County	2017 Amended Meade County	2017 Amended SDDOT	2017 Amended Total
Personnel Services		457,232				457,232
Professional Services/ Consultants	11,000	331,000	48,000	200,000	200,000	790,000
Capital Resources		5,000				5,000
<b>Total Cost</b>	<b>11,000</b>	<b>793,232</b>	<b>48,000</b>	<b>200,000</b>	<b>200,000</b>	<b>1,252,232</b>
Federal Amount 81.95%	9,015	650,054	39,336	163,900	163,900	1,026,204
Local Match 18.05%	1,986	143,178	8,664	36,100		189,928
State Match 18.05%					36,100	36,100
<b>Total Cost</b>	<b>11,000</b>	<b>793,232</b>	<b>48,000</b>	<b>200,000</b>	<b>200,000</b>	<b>1,252,232</b>