

NORTH CAROLINA
DURHAM COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 8/19/2019

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: C-5183 B

AND

WBS ELEMENTS: PE _____

ROW 46242.2.1

CITY OF DURHAM

CON 46242.3.2

OTHER FUNDING:

FEDERAL-AID #: CMS-0505(57)

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$433,217

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the City of Durham, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and the Municipality on 1/19/2017, entered into a certain Project Agreement for the original scope: the installation of sidewalks along Alston Avenue from Capps Street to Riddle Road in Durham, programmed under Project C-5183 B; and,

WHEREAS, the parties wish to increase funding for the Project.

NOW THEREFORE, the parties wish to supplement the aforementioned Agreement whereby the following provisions are amended:

FUNDING

The Department's original participation was \$644,360. The Department agrees to reimburse the Municipality 80% (\$433,217) of additional federal funds. The Municipality's original participation was \$161,090. The Municipality will provide 20% (\$108,304) as their additional local match and all costs that exceed the total available funding.

REIMBURSEMENT FOR ELIGIBLE ACTIVITIES

Subject to compliance by the Municipality with the provisions set forth in this Agreement and the availability of federal funds, the Department shall reimburse 80% of eligible expenses incurred by the Municipality up to \$1,077,577. The Municipality shall provide a 20% non-federal match, or \$269,394, as per the revised FUNDING TABLE below. The sum of these dollar amounts represents the Total Available Funds. If the funding provided through this Agreement changes, a supplemental agreement will be generated.

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
CMAQ	\$644,360	80 %	\$161,090	20 %
STBGDA	\$433,217	80%	\$108,304	20%
Total Available Funds			\$1,346,971	

PROGRAMMING AND AUTHORIZATION OF FEDERAL FUNDS

The funding currently programmed for the project in the State Transportation Improvement Program (STIP) is CMAQ and STBGDA. The funding source may be modified with the coordination and approval of the respective Metropolitan Planning Organization (MPO) and/or the Department prior to authorization of funds. The Department will authorize and reimburse federal funding based on the type of federal funding that is programmed in the STIP at the time of the authorization request. The Department will notify the Municipality of the type of federal funds authorized by issuing a Technical Amendment – Funds Authorization letter. A modification in the source of funds will have no effect on project responsibilities outlined in this agreement.

Except as hereinabove provided, the Agreement heretofore executed by the Department and the Municipality on 1/19/2017, is ratified and affirmed as therein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST:

CITY OF DURHAM

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ (Governing Board) of the City of Durham as attested to by the signature of _____, Clerk of the _____ (Governing Board) on _____ (Date)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Durham

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)