

RESOLUTION NO. 3608

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO A PROJECT AGREEMENT MODIFICATION WITH THE MONTANA DEPARTMENT OF TRANSPORTATION TO THE 2012 PROJECT AGREEMENT FOR SAFE ROUTES TO SCHOOL AND COMMUNITY TRANSPORTATION ENHANCEMENT PROGRAM GRANTS.

WHEREAS, the City of Miles City has entered into a Project Agreement with the Montana Department of Transportation;

AND WHEREAS, additional funding has been made available, necessitating an amendment to said Project Agreement;

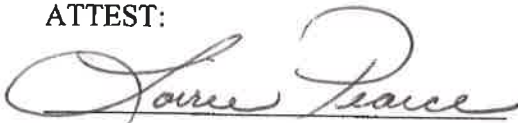
NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The Project Agreement Modification attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by the Council.
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Agreement on behalf of the City of Miles City and to bind the City of Miles City thereto.
3. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as are necessary to carry out the terms of said Agreement and to bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 25TH DAY OF JUNE, 2013.

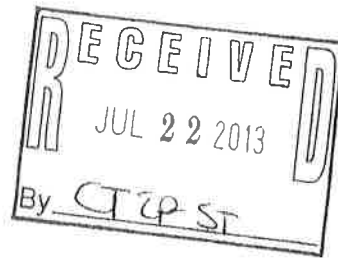

C.A. Grenz, Mayor

ATTEST:



Lorrie Pearce, City Clerk

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GARFIELD SCH WALKS-MILES CITY
Control No. 7982

PROJECT AGREEMENT MODIFICATION

The parties entered into the attached Project Agreement in 2012 that provided for, among other things, the design and construction of concrete sidewalks located on Lincoln Street and North Lake Avenue in Miles City, Montana. Additional funding has been made available for this project through a second Safe Routes To School (SRTS) and Community Transportation Enhancement Program (CTEP) grant award, and the project costs and scope of work have changed necessitating an amendment to the 2012 Project Agreement. Accordingly, the parties agree to modify that Agreement as set forth below.

Under WITNESSETH THAT, the fourth and fifth paragraphs will be modified to read:

WHEREAS, the total estimated cost of the project's development and construction totals \$259,903; and,

WHEREAS, the financial participation for the project's development and construction will in part be with federal-aid funds made available in federal fiscal 2012 and 2013; and,

After NOW, THEREFORE, ...

Sections 1, 2, and 4 will be modified to read:

1. The Grantee will develop a SRTS/CTEP project described as the design and construction of approximately 3,700 lineal feet of ADA compliant sidewalk to include street crossings.
2. The sidewalks will be located in Miles City on the south side of Lincoln Street between North Montana Avenue and North Lake Avenue NE, along the east side of North Lake Avenue between Lincoln Street and Riverside Street, along the south side Riverside Street between North Lake Avenue and North Merriam Avenue, and along the east side of North Merriam Avenue between Riverside Street and Robinson Street.
4. The federal-aid program to be requested for the development and construction of this project, by federal-aid account, is as follows:

Federal-Aid Program Account by Project Phase (Maximum Federal Share)

[9102] Preliminary Engineering (100% SRTS) (including environmental documentation)	\$ 37,641
[9202] Right-of-Way/Easement Acquisition	\$ -0-
[9302] Incidental Construction (utility relocation involvement)	\$ -0-
[9402] Construction Engineering (100% SRTS) (including contract administration and inspections)	\$ 29,913
[9502] Construction (100% SRTS)	\$ 163,474
[9502] Construction (86.58% CTEP)	\$ 28,875
Total	\$ 259,903

Miles City	Project	SRTS Funds	CTEP Funds	CTEP Matching Funds
Direct Costs	\$ 259,903	\$ 231,028	\$ 25,000	\$ 3,875
TOTAL	\$ 259,903	\$ 231,028	\$ 25,000	\$ 3,875

After The Grantee Will:,

Sections 1 and 4 will be modified to read:

1. Be responsible for the \$3,875 CTEP matching funds and 100% of all costs exceeding the proposed \$259,903 that may be required to complete the project. The Federal cost participation (CTEP/SRTS funds) will be \$256,028 of the estimated total project cost of \$259,903.
4. Solicit for competitive bids and award a contract to construct the project. The solicitation for the construction contract may be by competitive bid or limited solicitation, so long as the cost does not exceed \$80,000; should the project's cost exceed \$80,000, it must be by competitive bid. The Grantee will administer any construction contract and provide the supervision, inspection and documentation required to ensure the project is completed satisfactorily. The State will perform a final project review to ensure substantial compliance with project plans, specifications and estimates.

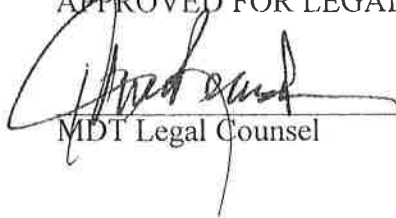
All other terms of the original agreement will remain in full force.

IN WITNESS WHEREOF, the Department's authorized representative has signed on behalf of the State of Montana, and the Mayor of the City of Miles City has signed and affixed hereto the seal of the City.

STATE OF MONTANA, DEPARTMENT OF TRANSPORTATION

BY  2/8, 2013

APPROVED FOR LEGAL CONTENT


MDT Legal Counsel

CITY OF MILES CITY

ATTEST-CITY CLERK



MAYOR

By 

I, Lorrice Pearce, Miles City City Clerk, hereby certify that this agreement was regularly adopted by the City Council at a meeting held on the 25th day of June, 2013, and that the Council authorized the Mayor to sign this agreement on behalf of the City.

[OFFICIAL SEAL]