

## AGREEMENT NUMBER \_\_\_\_\_

This AGREEMENT made by and between the State of South Dakota, acting by and through the State Department of Transportation, Transportation Commission, hereinafter referred to as STATE, and the City of Rapid City, South Dakota hereinafter referred to as CITY.

WHEREAS, STATE has the authority under the provisions of the Administrative Rules of South Dakota (ARSD) 70:06:01:02 Paragraph (2) and 70:06:02:01 Paragraph (2) to provide State matching funds for urban public transit operators receiving grants from the Federal Transit Administration (FTA) under the FTA Section 5307 Program and;

WHEREAS, CITY will receive an FTA Section 5307 Program grant for CY 2005 hereinafter referred to as GRANT, and CITY has requested STATE participation in the local matching share required under the provisions of GRANT.

NOW, THEREFORE, STATE and CITY mutually agree to the following:

- A. State agrees to perform the following activities:
  1. STATE shall reimburse CITY for local matching funds expended under the provisions of GRANT in an amount up to but not to exceed Twenty-eight Thousand, Four Hundred Twenty-five Dollars (\$28,425.00).
- B. CITY agrees to perform the following activities:
  1. CITY shall provide copies to STATE of performance reports required by GRANT and ARSD 70:06:03:01.
  2. CITY shall provide copies to STATE of any independent audits of CITY which include time periods covered by the GRANT and CITY shall keep accounting records related to the expenditures of State

matching funds for a minimum period of three (3) years under the provisions of ARSD 70:06:03:02.

3. CITY shall bill STATE for reimbursement of local matching share with supporting documents to demonstrate total GRANT costs expended, FTA share of expenditures and CITY share of expenditures to date of billing.

C. This AGREEMENT is binding upon the signatures hereto not as individuals but solely in their capacities as officials of their respective organizations and acknowledges proper action of STATE and CITY to enter into same.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective and duly authorized officers on the day and year last written below.

CITY OF RAPID CITY, SD

SOUTH DAKOTA DEPARTMENT OF  
TRANSPORTATION  
TRANSPORTATION COMMISSION

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

By: \_\_\_\_\_  
Bruce E. Lindholm, P.E.  
Program Manager  
Office of Air, Rail & Transit

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Finance Officer

APPROVED AS TO LEGAL FORM

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