

**AMENDMENT NUMBER 1 TO AGREEMENT NUMBER 811086**

**BACKGROUND:**

1. On December 27, 2010, 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 "AGREEMENT," was signed by representatives of each party and assigned Agreement Number 811086 by the STATE; and
2. The parties wish to amend the AGREEMENT as follows;

**THE STATE AND THE MPO MUTUALLY AGREE AS FOLLOWS:**

1. Paragraph 1.A. of the AGREEMENT is amended to read as follows:
  1. Scope of Work
    - A. 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 2011 Unified Planning Work Program, incorporated in and attached to this Agreement as Attachment D, and the 2011 Unified Planning Work Program Amendment, Amendment Number 2011-01, incorporated in and attached to this Agreement as Attachment F.
2. Paragraph 2 of the AGREEMENT is amended to read as follows:
  2. Duration of Agreement

This Agreement covers the period from January 1, 2011, to April 30, 2012, unless terminated earlier pursuant to the terms of this Agreement.
3. Paragraphs 3.A. and 3.B. of the AGREEMENT are amended to read as follows:
  3. Payment Procedures
    - A. The maximum limiting amount shall not exceed Six Hundred Sixty Thousand, One Hundred Seventy-nine Dollars (\$660,179) and cannot be exceeded by the combined vouchering of the participating parties in the Rapid City Transportation Planning Process and for which this Agreement shall be effective.
    - B. The maximum distribution of FEDERAL HIGHWAY ADMINISTRATION Planning Funds is Four Hundred Seventy Thousand, Eight Hundred Forty-nine Dollars (\$470,849) and FEDERAL TRANSIT ADMINISTRATION Planning Funds is One Hundred Eighty-nine Thousand, Three Hundred Thirty Dollars (\$189,330) for which this Agreement shall regulate and be accountable for, until amended, for work in the CY 2011 Unified Planning Work Program.
4. The MPO has designated its Mayor 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 Commission minutes or resolution authorizing the execution of this Amendment by the Mayor as the MPO'S authorized representative is attached hereto as Exhibit M.

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

The parties have caused this Amendment to be executed by their proper officers and representatives.

City of Rapid City, South Dakota

State of South Dakota  
Department of Transportation

By: \_\_\_\_\_  
Alan Hanks

By: \_\_\_\_\_  
Darin P. Bergquist

Its: Mayor

Its: Secretary

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

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

Attest:

Recommended By:

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

\_\_\_\_\_  
Tim Bjorneberg, Project Development Engineer

[CITY SEAL]

\_\_\_\_\_  
Bruce Lindholm, Local Transportation Programs

Approved as to Form:

Approved as to Form:  
  
\_\_\_\_\_  
Special Assistant Attorney General

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


Rapid City Metropolitan Planning Organization

By: \_\_\_\_\_  
Jerry Shoener

Its: Chairman, Executive Policy Committee

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

APPROVED AS TO FORM  
CITY ATTORNEY'S OFFICE

  
\_\_\_\_\_  
Attorney

3-28-11  
Date

**Attachment F**

**2011 Unified Planning Work Program Amendment  
Amendment Number 2011-01**

The Rapid City Metropolitan Planning Organization is requesting an amendment to the Federal Highway Administration Section of the 2011 Unified Planning Work Program to include added funding to complete remaining identified tasks under Professional Services/Consultants identified in the 2010 Unified Planning Work Program as follows:

<u>Years</u>	<u>Project Description</u>	<u>Amount</u>
	<u>Professional Services/Consultant Services</u>	
2009	Chapel Valley Secondary Access Study	\$ 24,200
2009	RC Area Bicycle & Pedestrian Master Plan	\$ 55,900
2010	Piedmont Valley & Black Hawk Future Land Use Plan	\$ 37,700
2010	Piedmont Elementary School Traffic Impact Study	\$ 5,700
2010	Arterial Street Safety Study	<u>\$ 81,900</u>
	Subtotal	\$205,400
<b>Amendment Total</b>		<b>\$205,400</b>
<b>Approved 2011 Unified Planning Work Program Total</b>		<b><u>\$805,819</u></b>
<b>Amended 2011 Unified Planning Work Program Total</b>		<b>\$1,011,219</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 will remain in effect.

**Committee Approval Section:**

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

**City of Rapid City, South Dakota**

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

Its: Mayor

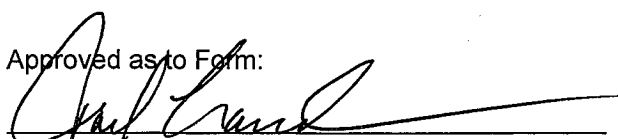
Date: \_\_\_\_\_

Attest:

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

(CITY SEAL)

Approved as to Form:

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

**State of South Dakota  
Department of Transportation**

Planning and Program Approval

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

Bradley Remmich Date  
Metropolitan Planning Organization Coordinator

**Federal Highway Administration**

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

Mark Hoines Date  
Planning Coordinator, South Dakota

**Metropolitan Planning Organization**

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

Jerry Shoener Date  
Chairman, Executive Policy Committee

**FHWA Budget Sheet (81.95%)**

	2010 UPWP Rollover			Total 2010 Roll Over	2011 Amended Rapid City	2011 City Amended Summerset	2011 Amended SDDOT	2011 Amended Totals
	Rapid City	Box Elder	Meade County					
Personnel Services					\$220,569			\$220,569
Professional Services/Consultants	\$205,400			\$205,400	\$338,987	\$10,000	\$200,000	\$548,987
Capital Resources					\$5,000			\$5,000
<b>TOTAL COST</b>	<b>\$205,400</b>			<b>\$205,400</b>	<b>\$564,556</b>	<b>\$10,000</b>	<b>\$200,000</b>	<b>\$774,556</b>
FHWA Amount 81.95%	\$168,325			\$168,325	\$462,654	\$8,195	\$163,900	\$634,749
Local Match 18.05%	\$37,075			\$37,075	\$101,902	\$1,805		\$103,707
State Match 18.05%							\$36,100	\$36,100

**FTA Budget Sheet (80.00%)**

Long Range Transportation - 41.13.01					\$128,286			\$128,286
Transportation Improvement Program - 41.15.00					\$105,958			\$105,958
Process Operations - 41.11.00					\$2,419			\$2,419
Other Planning (Transit) - 41.17.00					\$0			\$0
<b>TOTAL COST</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$236,663</b>			<b>\$236,663</b>
FTA Amount 80%					\$189,330			\$189,330
Local Match 20%					\$47,333			\$47,333

<b>Combined Totals</b>	<b>\$205,400</b>			<b>\$205,400</b>	<b>\$801,219</b>	<b>\$10,000</b>	<b>\$200,000</b>	<b>\$1,011,219</b>
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