

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

SECTION 5307 URBAN PUBLIC TRANSPORTATION AGREEMENT

This Agreement is made by and between the State of South Dakota, acting by and through its Department of Transportation, 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 2009, 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 reimburse CITY for local matching funds expended under the provisions of the 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 of performance reports to STATE as required by the 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.
  - 3. 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.

4. Upon reasonable notice, the CITY will allow the STATE, through any authorized representative, to have access to and the right to examine and copy all records, books, papers, or documents related to the GRANT.

5. 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, South Dakota

State of South Dakota  
Department of Transportation

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

By: \_\_\_\_\_  
Bruce E. Lindholm, P.E.

Its: Mayor

Its: Program Manager  
Office of Local Transportation Programs

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

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

Attest:


Approved as to Form

\_\_\_\_\_  
City Finance Officer/Clerk

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

[SEAL]

APPROVED AS TO FORM  
CITY ATTORNEY'S OFFICE

  
\_\_\_\_\_  
Attorney

3-6-09  
\_\_\_\_\_  
Date