AMENDMENT NUMBER 1 TO AGREEMENT NUMBER 811209

BACKGROUND:

1. On December 14, 2012, 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 the "AGREEMENT," was signed by representatives of each party and assigned Agreement Number 811209 by the STATE; and

2. The parties wish to amend the AGREEMENT.

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 2013 Unified Planning Work Program, incorporated in and attached to this Agreement as Attachment D, and the 2013 Unified Planning Work Program Amendment, Amendment Number 2013-01, incorporated in and attached to this Agreement as Attachment F.

2. Paragraph 3.A. of the AGREEMENT is amended to read as follows:

   3. Payment Procedures

      A. The maximum limiting amount will not exceed Eight Hundred Sixty-four Thousand, Two Hundred Sixty-one Dollars ($864,261), and cannot be exceeded by the combined vouchering of the participating parties in the Rapid City Transportation Planning Process and for which this Agreement will be effective.

      B. The maximum distribution of FEDERAL HIGHWAY ADMINISTRATION Planning Funds is Eight Hundred Sixty-four Thousand, Two Hundred Sixty-one Dollars ($864,261) for which this Agreement will regulate and be accountable for are as follows, until amended, for work in the CY 2013 Unified Planning Work Program.

3. 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 to this Amendment as Exhibit M.

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

City of Rapid City, South Dakota

By: _____
Sam Kooiker, Its: Mayor Date

Attest:

_____
City Auditor/Clerk

[CITY SEAL]

Approved as to Form:

Carla R. Cushman
City Attorney

State of South Dakota
Department of Transportation

By: _____
Darin P. Bergquist, Its: Secretary Date

Recommended By:

_____
Michael Behm, Project Development Engineer

Approved as to Form:

_____
Special Assistant Attorney General

Rapid City Metropolitan Planning Organization

By: _____
Nancy Trautman Date
Its: Chairperson, Executive Policy Committee