

**AMENDMENT NUMBER 2 TO AGREEMENT NUMBER 715298**

**BACKGROUND:**

1. On April 7, 2014, the State of South Dakota, acting by and through its Department of Transportation, referred to in this Amendment as the "STATE," the city of Rapid City, South Dakota, referred to in this Amendment as the "CITY," entered into a Joint Powers Financial Agreement for South Dakota Federal Aid Construction Project Number NH 0016(78)67 PCN 01TH, which agreement, referred to in this Amendment as the "AGREEMENT," was signed by representatives of each party and assigned Agreement Number 715298 by the STATE.
2. The parties wish to amend the AGREEMENT to increase the CITY'S estimated portion of the costs for the decorative steel lighting and signal poles to Three Hundred Twenty-two Thousand, Six Hundred Twenty Dollars (\$322,620.00).

**THE PARTIES MUTUALLY AGREE AS FOLLOWS:**

1. Paragraph 3. C. is revised to read:
  - C. The STATE will install decorative steel lighting and signal poles in lieu of galvanized steel lighting and signal poles as part of the STATE PROJECT. The CITY will reimburse the STATE for the difference between the estimated cost of installing the STATE'S standard galvanized steel lighting and signal poles and the actual cost of installing the decorative steel lighting and signal poles requested by the CITY. The estimated cost of the STATE'S galvanized steel lighting and signal poles is One Hundred Sixty-four Thousand, Two Hundred Sixty Dollars (\$164,260.00). The estimated cost of the decorative steel lighting and signal poles is Four Hundred Eighty-six Thousand, Eight Hundred Eighty Dollars (\$486,880.00). The CITY'S estimated cost will be Three Hundred Twenty-two Thousand, Six Hundred Twenty Dollars (\$322,620.00). The estimated cost breakdown is attached to this Agreement as Attachment 2. The actual cost will depend on final bids and quantities. The CITY will pay the STATE within forty-five (45) days of receipt of billings from the STATE.
2. Attachment 2 attached to the AGREEMENT is revised and replaced with the attached Revised Attachment 2.
3. Except as specifically modified by this Amendment, the terms and conditions of the original AGREEMENT, along with the prior amendment, will remain in full force and effect.
4. The CITY has designated its Mayor as the CITY'S authorized representative and has empowered the Mayor with the authority to sign this Amendment on behalf of the CITY. A copy of the CITY'S Commission minutes or resolution authorizing the execution of this Amendment by the Mayor as the CITY'S authorized representatives is attached to this Amendment as Exhibit A.

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

City of Rapid City, South Dakota  By: _____  Its: Mayor  Date: _____  Attest:	State of South Dakota Department of Transportation  By: _____  Its: Project Development Engineer  Date: _____
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City Auditor/Clerk

(CITY SEAL)

Revised Attachment 2

Attachment 2 - Decorative Street Lighting and Signals Estimate (Amended)

		As Bid Prices and Quantities				Estimated Construction Costs			
Bid Item	Description	Decorative Lighting & Signals				Lighting/Signals w/Standard Finish			
		Qty	Unit	Unit Price	Total Price	Qty	Unit	Unit Price	Total Price
635E0050	Breakaway Base Luminaire Pole with Arm, 50' Mounting Height					18	Each	\$2,600.00	\$46,800.00
635E0900	Decorative Luminaire Pole	21	Each	\$6,531.00	\$137,151.00				
635E0910	Decorative Luminaire Arm	21	Each	\$1,144.50	\$24,034.50				
635E2125	Signal Pole with 25' Mast Arm and Luminaire Arm					2	Each	\$7,800.00	\$15,600.00
635E2135	Signal Pole with 35' Mast Arm and Luminaire Arm					1	Each	\$11,200.00	\$11,200.00
635E2140	Signal Pole with 40' Mast Arm and Luminaire Arm					2	Each	\$11,200.00	\$22,400.00
635E2145	Signal Pole with 45' Mast Arm and Luminaire Arm					1	Each	\$12,500.00	\$12,500.00
635E2160	Signal Pole with 60' Mast Arm and Luminaire Arm					2	Each	\$14,200.00	\$28,400.00
635E2364	Decorative Signal Pole with 25' Mast Arm and Luminaire Arm	2	Each	\$20,632.50	\$41,265.00				
635E2366	Decorative Signal Pole with 35' Mast Arm and Luminaire Arm	1	Each	\$24,150.00	\$24,150.00				
635E2368	Decorative Signal Pole with 40' Mast Arm and Luminaire Arm	2	Each	\$28,665.00	\$57,330.00				
635E2370	Decorative Signal Pole with 45' Mast Arm and Luminaire Arm	1	Each	\$29,872.50	\$29,872.50				
	Decorative Signal Pole with 60' Mast Arm and Luminaire Arm	2	Each	\$37,800.00	\$75,600.00				
635E3220	Roadway Luminaire, 400 Watt					18	Each	\$400.00	\$7,200.00
635E3450	Decorative Luminaire, 150 Watt with Photoelectric Cell	11	Each	\$892.50	\$9,817.50				
635E3460	Decorative Luminaire, 400 Watt with Photoelectric Cell	25	Each	\$1,391.25	\$34,781.25				
635E5302	Type 2 Electrical Junction Box	21	Each	\$603.75	\$12,678.75	11	Each	\$600.00	\$6,600.00
	Subtotal				\$446,680.50				\$150,700.00
	PE Amount				\$24,567.43				\$8,288.50
	CE Amount				\$15,633.82				\$5,274.50
	<b>Total</b>				<b>\$486,880.00</b>				<b>\$164,260.00</b>
	<b>Add'l Cost to Construct Decorative over Standard</b>				<b>\$322,620.00</b>				