

AGREEMENT NUMBER _____

STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION
SECTION 5307 URBAN PUBLIC TRANSPORTATION GRANT AGREEMENT

This Agreement is made and entered into by and between the State of South Dakota, acting by and through its Department of Transportation, hereinafter referred to as the "STATE," and the City of Rapid City, South Dakota, hereinafter referred to as the "CITY."

BACKGROUND:

1. Under the provisions of the Administrative Rules of South Dakota, (ARSD) 70:06:01:02 Paragraph (2) and 70:06:02:01 Paragraph (2), the STATE has the authority to provide STATE matching funds for urban public transit operators receiving grants from the Federal Transit Administration (FTA) under the FTA Section 5307 Program;
2. The CITY will receive an FTA Section 5307 Program grant for Calendar Year (CY) 2011, hereinafter referred to as the "GRANT"; and
3. The CITY has requested the STATE'S participation in the local matching share required under the provisions of the GRANT.

THE STATE AND THE CITY MUTUALLY AGREE AS FOLLOWS:

1. The STATE will reimburse the 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).
2. The CITY shall perform the following activities:
 - A. The CITY shall provide copies of performance reports to the STATE as required by the terms of the GRANT and ARSD 70:06:03:01.
 - B. The CITY shall provide to the STATE copies of any independent audits of the CITY, which include time periods covered by the GRANT.
 - C. The CITY shall keep accounting records related to the expenditures of the STATE matching funds for a minimum period of three (3) years under the provisions of ARSD 70:06:03:02.
 - D. 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, and documents related to the GRANT.
 - E. The CITY shall bill the STATE for reimbursement of local matching share with supporting documents to demonstrate total GRANT costs expended, FTA share of expenditures, and CITY'S share of expenditures to date of billing.
3. The CITY has designated its Mayor as the CITY'S authorized representative and has empowered the Mayor with the authority to sign this Agreement on behalf of the CITY. A copy of the CITY'S Commission minutes or resolution authorizing the execution of this Agreement by the Mayor as the CITY'S authorized representative is attached hereto as Exhibit A.

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 the STATE and the CITY to enter into same.

City of Rapid City, South Dakota

State of South Dakota
Department of Transportation

By: _____

By: _____

Its: Mayor

Its: Program Manager
Office of Local Transportation Programs

Date: _____

Date: _____

Attest:


Approved as to Form:

City Auditor/Clerk


Special Assistant Attorney General

(CITY SEAL)

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE



Attorney

1-4-11
Date