

**AMENDMENT NUMBER 1
TO AGREEMENT NUMBER 311568**

BACKGROUND:

1. On December 28, 2022, 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 "Sub-Recipient," 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 311568 by the STATE; and the parties wish to amend the AGREEMENT to incorporate actual costs of the project.

THE STATE AND THE Sub-Recipient MUTUALLY AGREE AS FOLLOWS:

1. Paragraphs A.1.f., A.1.g., and A.1.h. of the AGREEMENT are revised to read as follows:

A. REQUIRED AUDIT PROVISIONS FOR GRANT AWARDS

1. FEDERAL AWARD IDENTIFICATION:

- f. Amount of federal funds obligated to Sub-Recipient by this Agreement: \$952,332.00
- g. Total amount of federal funds obligated to the Sub-Recipient: \$952,332.00
- h. Total amount of federal award committed to the Sub-Recipient: \$952,332.00

2. Paragraph A.3.c.i. is amended as follows:

c. SCOPE OF PROJECT

- i. The work to be performed under this Agreement for the Rapid City Metropolitan Transportation Planning Process will be conducted in accordance with the CY 2023 Unified Planning Work Program incorporated in this agreement by reference as **Attachment D**, and the 2023 Unified Planning Work Program Amendment 2023-01, incorporated in and attached to this agreement as **Attachment F**.

3. Paragraphs A.4.a. and A.4.b of the AGREEMENT are revised to read as follows:

4. BASIS FOR SUBAWARD AMOUNT:

- a. The maximum limiting amount will not exceed Nine Hundred Fifty-Two Thousand Three Hundred Thirty-Two Dollars (\$952,332.00) 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 in effect.
- b. The maximum distribution of Federal Highway Administration Planning Funds is Nine Hundred Fifty-Two Thousand Three Hundred Thirty-Two Dollars (\$952,332.00), for which this Agreement will regulate and be accountable for are as follows, until amended, for work in the CY 2023 Unified Planning Work Program.

4. The Sub-Recipient has designated the Mayor of Rapid City as the Sub-Recipient authorized representative and has empowered the Mayor with the authority to sign this Amendment on behalf of the Sub-Recipient. A copy of the city of Rapid City's Council minutes or resolution authorizing the execution of this Amendment by the Mayor as the Sub-Recipient's authorized representative is attached to this Amendment as **Attachment G**.

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

[SIGNATURE PAGE TO FOLLOW]

City of Rapid City, South Dakota

By: _____
Steve Allender, Mayor

Date: _____

Attest:

City Finance Director

[CITY SEAL]

Attest:

City Attorney

Printed Name: _____

Rapid City Metropolitan Planning Organization

By: _____
Larry Larson, Chair
Executive Policy Committee

Date: _____

**State of South Dakota
Department of Transportation**

By: _____
Joel Jundt, Secretary

Date: _____

Recommended By:

Michael Behm, Planning and Engineering Director

Date: _____

Mark Leiferman, Project Development Program Mgr.

Date: _____

Approved as to Form:

/s/ Shane M. Pullman

Special Assistant Attorney General

Attachment F
2023 Unified Planning Work Program Amendment Number 2023-01

The Rapid City Metropolitan Planning Organization is requesting an amendment to the Federal Highway Administration Section of the 2023 Unified Planning Work Program to include additional funding and work activity within the *Professional Services/Consultant Services* identified in the 2023 Unified Planning Work Program as follows:

<u>Years</u>	<u>Project Description</u>	<u>Amount</u>
<u>Professional Services/Consultant Services</u>		
2023	<i>Major Street Plan Constructability and Alignment Analysis Study</i>	\$199,857
Amendment Total		\$199,857
Approved 2023 Unified Planning Work Program Total		<u>\$962,232</u>
Amended 2023 Unified Planning Work Program Total		\$1,162,089

Professional Services/Consultant Services

h. Major Street Plan Constructability and Alignment Analysis Study

The amounts and totals referenced above are subject to and contingent 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 shall remain in effect.

Committee Approval Section:

CAC Approval Date: _____
 TCC Approval Date: _____
 EPC Approval Date: _____

City of Rapid City, South Dakota

By: _____
 Mayor Date

Attest:

 City Finance Director
 [Seal]

APPROVED AS TO FORM:

By: _____
 Assistant City Attorney

South Dakota Department of Transportation
 Planning & Programs Approval:

By: _____
 Sarah Gilkerson Date
 Metropolitan Planning Organization Coordinator

Federal Highway Administration
 Approval Section:

By: _____
 Mark Hoines Date
 Planning Coordinator, South Dakota Division

Metropolitan Planning Organization

By: _____
 Larry Larson, Chair Date
 Executive Policy Committee

**2023 Unified Planning Work Program Amendment
Amendment Number 2023-01**

	City of Box Elder	City of Rapid City	Pennington County	Meade County	SDDOT	Total
Personnel Services		\$440,232				\$440,232
Safe and Accessible Transportation Options/ Personnel Services		\$17,000				\$17,000
Professional Services/ Consultants		\$492,357	\$195,000			\$687,357
Safe and Accessible Transportation Options/ Professional Services/Consultants		\$7,500	\$5,000			\$12,500
Capital Resources		\$5,000				\$5,000
Total Cost		\$962,089	\$200,000			\$1,162,089
Federal Amount 81.95%		\$788,432	\$163,900			\$952,332
Local Match 18.05%		\$173,657	\$36,100			\$209,757
SDDOT Local Match 18.05%						
Total Cost		\$962,089				\$1,162,089