

Regional Transportation Commission

July 13, 2016

Revised Amendment for item **4-D**

Agenda Title: (For Possible Action) To authorize the Transportation Manager to execute an amendment to cooperative agreement PR 569-14-063, between the Carson City RTC and the Nevada Department of Transportation (NDOT), for the Flashing Yellow Arrows Project and to authorize the Transportation Manager to sign future amendments to this agreement regarding time extensions

Amendment No.1 to

Cooperative (LPA) Agreement No. PR569-14-063

This Amendment is made and entered into this _____ day of _____, _____, between the State of Nevada, Department of Transportation, hereinafter referred to as the DEPARTMENT, and Carson City, acting by and through its Regional Transportation Commission, 3505 Butti Way, Carson City, NV 89701, hereinafter referred to as the CITY.

WITNESSETH:

WHEREAS, on December 29, 2014 the parties entered into Agreement No. PR569-14-063 to delegate authority to the CITY to design, advertise, award and manage construction of the Flashing Yellow Arrow Project; and

WHEREAS, the bid prices for the PROJECT exceeded the available funding and the DEPARTMENT is willing to provide additional funding; and

WHEREAS, this Amendment No. 1 is needed to increase the Federal Highway Safety Improvement Program (HSIP) funding to Four Hundred Seventy-Four Thousand Three Hundred Thirty-Eight and No/100 Dollars (\$474,338.00).

WHEREAS, the parties hereto desire to make certain amendments to Agreement No. PR569-14-063.

NOW, THEREFORE, the parties agree as follows:

- A. Article I, Paragraph 3, is amended by deleting it in its entirety and inserting in its place,

"3. To obligate Federal Highway Safety Improvement Program (HSIP) funding for a maximum amount of Four Hundred Seventy-Four Thousand Three Hundred Thirty-Eight and No/100 Dollars (\$474,338.00)."
- B. Article II, Paragraph 23, is amended by deleting it in its entirety and inserting in its place,

"23. To be responsible for the five percent (5%) match of Federal funds in an amount not to exceed Twenty-Four Thousand Nine Hundred Sixty-Five and No/100 Dollars (\$24,965.00) and for one hundred percent (100%) of all costs exceeding the obligated Federal funds subject to the CITY's budgeted appropriations and the allocation of sufficient funds by the governing body of the CITY. The CITY agrees that DEPARTMENT and the State of Nevada are not responsible for any costs exceeding the obligated Federal funds."
- C. Article III, Paragraph 1, is amended by deleting it in its entirety and inserting in its place;

"1. The term of this Agreement shall be from the date first written above through and including December 31, 2018, or until the construction of all improvements contemplated herein has been completed and accepted by the DEPARTMENT, whichever occurs first, save and except the responsibility for maintenance as specified herein."
- D. Article III, Paragraph 5, is amended by deleting it in its entirety and inserting in its place,

“5. The following is a summary of the TOTAL ESTIMATED PROJECT COSTS and available funds:

TOTAL ESTIMATED PROJECT COSTS:

DEPARTMENT Preliminary Engineering Costs:	\$ 2,000.00
CITY Preliminary Engineering Costs:	\$ 84,250.00
DEPARTMENT Construction Engineering Costs:	\$ 8,000.00
CITY Construction Engineering Costs:	\$ 14,000.00
CITY Construction Costs:	<u>\$ 391,053.00</u>

TOTAL ESTIMATED PROJECT COSTS: \$ 499,303.00

AVAILABLE FUNDING SOURCES:

Federal HSIP Funds:	\$ 474,338.00
CITY Match Funds:	<u>\$ 24,965.00</u>

TOTAL PROJECT FUNDING: \$ 499,303.00

Additional CITY Funds: \$ 63,295.00”

- E. All of the other provisions of Agreement No. PR569-14-063, dated December 29, 2014, shall remain in full force and effect as if set forth herein.

IN WITNESS WHEREOF, the above named parties have hereunto set their hands and executed this Amendment the date first written above.

Carson City Regional Transportation
Commission

STATE OF NEVADA, acting by and through
its DEPARTMENT OF TRANSPORTATION

Patrick Pittenger, AICP, PTP
Transportation Manager

Director

Attest:

Approved as to Legality & Form:

Susan Merriwether, City Clerk

Deputy Attorney General