

NORTH CAROLINA
DURHAM COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 3/26/2014

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: SR-5001C

AND

WBS ELEMENTS: PE 40924.1.7

CITY OF DURHAM

CON 40924.3.4

OTHER FUNDING:

FEDERAL-AID #: SRS-0505(28)

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$200,800

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the City of Durham, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and Municipality on 11/2/2009, entered into a certain Project Agreement for the original scope: construction of approximately 650 feet of sidewalk along the east side of Fayetteville Street between Cornwallis Road and Homeland Avenue; the relocation of the curb and construction of sidewalk over an existing culvert on the east side of Fayetteville Street between Homeland Avenue and Pilot Street; and the modification of pavement markings and the addition of appropriate signage on Fayetteville Street from Cornwallis Road to George Street to better accommodate bicyclists and enhance operations, programmed under Project SR-5001C; and,

WHEREAS, the Municipality has requested additional funding from the Durham-Chapel Hill-Carrboro MPO; and,

WHEREAS, the Municipality has requested additional time to complete the Project;

NOW THEREFORE, the parties wish to supplement the aforementioned Agreement whereby the following provisions are amended:

FUNDING

The Department's original participation was \$249,900 in Safe Routes to School (SRTS) Funding. The Department agrees to reimburse the Municipality an additional \$200,800 of STP-DA funds. The Municipality will provide \$50,200 as their local match. The Municipality shall request reimbursement of the SRTS Funding first; when those funds are exhausted, the Municipality shall request reimbursement of the STP-DA funds. The Municipality shall be responsible for all costs over the Total Estimated Cost as noted in the revised Funding Table below.

REVISED FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
SRTS	\$249,900	100%	\$0	0%
STP-DA	\$200,800	80%	\$50,200	20%
Total Estimated Cost			\$500,900	

RESPONSIBILITIES

The Municipality shall complete the project within 18 months of the execution of this agreement.

TITLE VI

The Municipality shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs and activities of any recipient of Federal assistance.

E-VERIFY COMPLIANCE

Each of the parties covenants that if it enters into any subcontracts in order to perform any of its obligations under this contract, it shall require that the contractors and their subcontractors comply with the requirements of NC Gen. Stat. Article 2 of Chapter 64. In this E-Verify Compliance section, the words contractors, subcontractors, and comply shall have the meanings intended by N.C. Gen. Stat. § 160A-20.1.

Except as hereinabove provided, the Agreement heretofore executed by the North Carolina Department of Transportation and City of Durham on 11/2/2009, is ratified and affirmed as therein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the City by authority duly given.

ATTEST: CITY OF DURHAM

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ (Governing Board) of the City of Durham as attested to by the signature of _____, Clerk of the _____ (Governing Board) on _____ (Date)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Durham

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)