

NORTH CAROLINA
CUMBERLAND COUNTY

6th SUPPLEMENTAL AGREEMENT

DATE: 5/17/2018

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: EB-4539 BC

AND

WBS ELEMENTS: CON 41955.3.5

OTHER FUNDING: 41563

CITY OF FAYETTEVILLE

FEDERAL-AID #: TAP-0620(049)

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$1,000,000

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 Fayetteville, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and the Municipality on 9/23/2010, entered into a certain Project Agreement for the original scope: of the construction of a 3.5 mile long 10-foot wide asphalt/concrete multi-use trail with 2-ft crushed stone shoulders and 3-ft turf shoulders from Clark Park to the Cape Fear Botanical Garden in the City of Fayetteville., programmed under Project EB-4539 B; and,

WHEREAS, the Department and the Municipality, on 1/5/2010 and 3/21/2013, entered into Supplemental Agreements to extend the completion dates of the Project and on 6/6/2012 and 12/16/2014, Supplemental Agreements to split the Project into three segments and revise the funding for each segment; and,

WHEREAS, on 4/14/2015, Department agreed to increase the project funding using Transportation Alternatives Program (TAP) funds; and,

WHEREAS, the Department and the Municipality have agreed to the increased funding, change of scope and extension of the completion date for the Project,

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

SCOPE

The revised scope for section "C" (EB-4539BC) includes the construction of the trail from the south end of the recently constructed section "A" (EB-4539BA) just north of US301/I-95BUS southward to the Cape Fear Botanical Garden Property.

FUNDING

The Department's original participation was \$600,000. Subject to compliance by the Municipality with the provisions set forth in the Agreement and the availability of funds, the Department will provide an additional \$1,000,000 in High Impact/Low Cost funds which will be available to be reimbursed at a rate of 100% for eligible project costs. Any costs that exceed the total estimated cost of \$1,600,000 will be the responsibility of the Municipality.

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
Transportation Alternatives Program (4 th Agreement)	\$600,000	80%	\$150,000	20%
	State Funds			
High Impact/ Low Cost (6th Agreement)	\$1,000,000	100%	—	
Subtotals	\$1,600,000		\$150,000	
Total Estimated Cost		\$1,750,000		

RESPONSIBILITIES

The Municipality shall complete Segment "C" (EB-4539BC) by December 31, 2019. Completion for this portion of the Project is defined as completion of all construction activities and acceptance of the project, and submission of a final reimbursement package to the Department.

Except as hereinabove provided, the Agreement heretofore executed by the Department and the Municipality on 9/23/2010, 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 Municipality by authority duly given.

L.S. ATTEST:

CITY OF FAYETTEVILLE

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 Fayetteville 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 Fayetteville

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

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