

NORTH CAROLINA
CUMBERLAND COUNTY

7TH SUPPLEMENTAL AGREEMENT

DATE: 12/9/2019

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

	TIP #:	EB-4539 B
AND	WBS ELEMENTS:	PE _____
		ROW _____
CITY OF FAYETTEVILLE	CON	41955.3.5
	OTHER FUNDING:	41563
	FEDERAL-AID #:	TAP-0620(050)
	CFDA #:	20.205
TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$0		

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 construction of a 3.5 mile long asphalt/concrete multi-use trail with crushed stone and 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 on 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 and 8/24/2019, Department agreed to increase the project funding and extend the completion date; and

WHEREAS, the parties wish to increase funding and extend the completion date for the Project;

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

FUNDING

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 \$161,392 funds which will be available to be reimbursed at a rate of 80% for eligible project costs and the Municipality shall provide and additional \$40,348 as a 20% match. Any costs that exceed the total estimated cost of \$1,951,740 will be the responsibility of the Municipality.

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Local Match	Non-Federal Match Rate
TAP	\$600,000	80%	\$150,000	20%
High Impact/ Low Cost	\$1,000,000	100%		
TAP(This Supplemental)	\$161,392	80%	\$40,348	20%
Subtotals	\$1,761,392		\$190,348	
Total Estimated Cost		\$1,951,740		

RESPONSIBILITIES

TIME FRAME

The Municipality shall complete Segment "C" (EB-4539BC) by December 31, 2021 in lieu of December 31, 2019.

ADDITIONAL PROVISIONS

The other party to this Agreement shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21) and related nondiscrimination authorities. Title VI and related authorities

prohibit discrimination on the basis of race, color, national origin, disability, gender, and age in all programs or activities of any recipient of Federal assistance.

A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

Except as hereinabove provided, the Agreement heretofore executed by the Department and the Municipality on 9/23/2010, amended 11/5/2010, 6/8/2012, 3/21/2013, 12/16/2014, 4/14/2015 and 8/24/2018, 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. No Change

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)