

**AMENDMENT NUMBER 2  
TO AGREEMENT NUMBER 311515**

**BACKGROUND:**

1. On December 31, 2021, 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 311515 by the STATE; and the parties wish to amend the AGREEMENT.

**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: \$787,087.00
- g. Total amount of federal funds obligated to the Sub-Recipient: \$787,087.00
- h. Total amount of federal award committed to the Sub-Recipient: \$787,087.00

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 2022 Unified Planning Work Program incorporated in this agreement by reference as **Attachment D**, and the 2022 Unified Planning Work Program Amendment 2022-02, 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 Seven Hundred Eighty-Seven Thousand Eighty-Seven Dollars (\$787,087.00) 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 Seven Hundred Eighty-Seven Thousand Eighty-Seven Dollars (\$787,087.00), for which this Agreement will regulate and be accountable for are as follows, until amended, for work in the CY 2022 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  
Chairperson, 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**  
**2022 Unified Planning Work Program Amendment Number 2022-01**

The Rapid City Metropolitan Planning Organization is requesting an amendment to the Federal Highway Administration Section of the 2022 Unified Planning Work Program to include additional funding and work activity within the *Professional Services/Consultant Services* identified in the 2022 Unified Planning Work Program as follows:

| <b><u>Years</u></b>                                      | <b><u>Project Description</u></b>               | <b><u>Amount</u></b> |
|--|---|----------------------|
| <u>Professional Services/Consultant Services</u>         |   |                      |
| 2022   | Highway 1416 and Radar Hill Road Corridor Study | \$309,216            |
| <b>Amendment Total</b>                                   |   | <b>\$309,216</b>     |
| <b>Approved 2022 Unified Planning Work Program Total</b> |   | <b>\$651,232</b>     |
| <b>Amended 2022 Unified Planning Work Program Total</b>  |   | <b>\$960,448</b>     |

Professional Services/Consultant Services

*i. Highway 1416 and Radar Hill Road Corridor 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

**2022 Unified Planning Work Program Amendment  
Amendment Number 2022-02**

|                                       | City of Box Elder | City of Rapid City | Pennington County | Meade County | SDDOT | Total            |
|---------------------------------------|-------------------|--------------------|-------------------|--------------|-------|------------------|
| Personnel Services                    |                   | \$457,232          |                   |              |       | \$457,232        |
| Professional Services/<br>Consultants | \$154,608         | \$189,000          | \$154,608         |              |       | \$498,216        |
| Capital Resources                     |                   | \$5,000            |                   |              |       | \$5,000          |
| <b>Total Cost</b>                     | <b>\$154,608</b>  | <b>\$651,232</b>   | <b>\$154,608</b>  |              |       | <b>\$960,448</b> |
| Federal Amount 81.95%                 | \$126,701         | \$533,685          | \$126,701         |              |       | \$787,087        |
| Local Match 18.05%                    | \$27,907          | \$117,547          | \$27,907          |              |       | \$173,361        |
| SDDOT Local Match 18.05%              |                   |                    |                   |              |       |                  |
| <b>Total Cost</b>                     | <b>\$154,608</b>  | <b>\$651,232</b>   | <b>\$154,608</b>  |              |       | <b>\$960,448</b> |