

BILL NO. 2105

ORDINANCE NO. 1881

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, STP-URBAN PROGRAM SUPPLEMENTAL AGREEMENT, REGARDING THE DESIGN AND CONSTRUCTION OF THE "HIGHWAY 340 ENHANCEMENT PROJECT."

WHEREAS, on June 6, 2000, the City of Chesterfield and the Missouri Highways and Transportation Commission entered into a STP-Urban Funds Agreement as to public improvements designated as Highway 340 Enhancement Project, for the construction of sidewalks, medians, and other enhancement features; and,

WHEREAS, the original agreement stated that 70% of the project cost, up to a maximum of \$1,959,985, would be eligible for federal reimbursement; and,

WHEREAS, the supplemental agreement states that in addition to the federal reimbursement, the Missouri Department of Transportation will provide reimbursement of 15% of the project cost, up to a maximum of \$419,997; and,

WHEREAS, the City's local share has been reduced from \$839,994 to \$419,997; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, AS FOLLOWS:


Section 1. The City Administrator is hereby authorized to execute and enter into a supplemental agreement on behalf of the City of Chesterfield with the Missouri Highway and Transportation Commission regarding reimbursement for the design and construction of the Highway 340 Enhancement project. Said agreement is attached hereto as EXHIBIT "A".

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 21st day of October, 2002.


MAYOR

ATTEST:


CITY CLERK

CCO Form: TP2-SUP
Approved: 5/02 (BDG)
Revised:
Modified:

City of Chesterfield
Project STP-4928(605)

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
STP-URBAN PROGRAM
SUPPLEMENTAL AGREEMENT

THIS SUPPLEMENTAL AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Chesterfield (hereinafter, "City").

WITNESSETH:

WHEREAS, on June 6, 2000 the Commission and the City previously entered into a STP-Urban Funds Agreement as to public improvements designated as Highway 340 Enhancement Project, for the construction of sidewalks, medians, and other enhancement features (hereinafter, "Original Agreement"); and

WHEREAS, the Commission and the City now desire to revise the Original Agreement as provided in this Supplemental Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) REVISION: Paragraph (14) (A) of the Original Agreement is hereby removed and replaced with the following:

Any federal funds for transportation enhancement activities shall only be available for reimbursement of eligible costs which have been incurred by the City. Any costs incurred by the City prior to authorization from FHWA and notification to proceed from the Commission are not reimbursable costs. The ratio for federal reimbursement of eligible costs for the herein improvements is 70% up to a maximum of \$1,959,985. The ratio for state (MoDOT) reimbursement of eligible costs for the herein improvements is 15% up to a maximum of \$419,997. State funding will be charged to Job No. J6S1660. Any costs for the herein improvements which exceed any federal reimbursement and state reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of the City. The Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments. The Commission's contribution from all sources, both federal and state, shall not exceed two million, three hundred seventy-nine thousand, nine hundred eighty-two dollars (\$2,379,982) for this Transportation Enhancement project.

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Supplemental Agreement, the Original Agreement between the parties shall remain in full force and effect and shall extend and apply to this Supplemental Agreement as if fully written in this Supplemental Agreement.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this _____ day of _____, 20____.

Executed by the Commission this _____ day of _____, 20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF _____

By _____

Title: _____

Title: _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____

Title: _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title: _____

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Ordinance No.: _____