

ITEM # 18-0798

Contract Number	/
Vendor Number	<u>0000054360</u>
Control Number	<u>S100370</u>

SECOND AMENDMENT TO COOPERATIVE PROJECT AGREEMENT

This Amendment is made and entered into this _____ day of _____, 2018, by and between the New Mexico Department of Transportation (Department) and the City of Santa Fe (Public Entity), collectively referred to as the "Parties."

RECITALS

Whereas, the Department and the Public Entity entered into a Cooperative Project Agreement on August 25, 2015 attached as Exhibit "A" and made part of this Amendment; and,

Whereas, page10, Section23, of the Agreement allows both parties to make alterations and revisions to the said Agreement; and,

Whereas, the Parties want to decrease Design funding, and increase Right of Way funding and extend the termination date from September 30,2018 to December 31, 2018 and,

Whereas, the Department and the Public Entity agree that the original Cooperative Agreement be amended.

In consideration of the covenants contained herein and pursuant to NMSA 1978, Section 67-3-28, and the Parties agree as follows:

1. Page 1, Section Two, Paragraph, delete in its entirety and insert the following:

The total funding for Project Control No. S100370, is One Hundred Seven Thousand Dollars and No Cents(\$107,000) to be funded in proportional share by the Parties as follows:

- | | | |
|----|---|------------------|
| 1. | <u>FFY 2015 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) Funds</u> | |
| | <u>Department's 90.00% share</u> | \$135,000 |
| | Design , ROW Acquisition of a roundabout at the intersection safety improvements of Agua Fria St/ Cottonwood Dr at Rt 490066. | |
| 2. | <u>State's matching 10.00% share</u> | \$15,000 |
| | For the purpose stated above. | |
| 3. | <u>Total FFY 2015 HSIP Funds</u> | \$150,000 |
| 4. | <u>FFY 2015 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) Funds</u> | |
| | <u>Department's 90.00% share</u> | \$45,000 |
| | Right of Way acquisition | |
| 5. | <u>State's matching 10.00% share</u> | \$5,000 |
| | For the purpose stated above. | |
| 6. | <u>The Total Project Funding FFY 2015</u> | \$200,000 |
| 7. | <u>FFY 2018 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) Funds</u> | |

	<u>Department's 90.00% share</u>	\$51,300
	Design of a roundabout at the intersection safety improvements of Agua Fria St/ Cottonwood Dr at Rt 490066.	
8.	<u>State's matching 10.00% share</u>	\$5,700
	For the purpose stated above.	
9.	<u>Total FFY 2018 HSIP(Design) Funds</u>	\$57,000
10.	<u>FFY 2018 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) Funds</u>	
	<u>Department's 90.00% share</u>	\$45,000
	Right of Way acquisition	
11.	<u>State's matching 10.00% share</u>	\$5,000
	For the purpose stated above.	
13.	<u>Total Project Funding (ROW)</u>	\$50,000
14.	<u>The Total Project Funding FFY 2018 (HSIP)</u>	\$107,000
15.	<u>The Total Project Funding FFY 15 & 18 (HSIP)</u>	307,000

2. Page 9, Section 20, delete in its entirety and insert the following:

1. This Agreement is effective on August 25, 2015, and this Agreement shall terminate on **December 31, 2018**. Neither Party shall have any obligation after said date except as stated in Section 7 and 16 above.

Except for the above amendments the original Cooperative Project Agreement shall remain in full force and effect unless expressly amended or modified by this Second Amendment.

In witness whereof, the Parties have set their hands and seal the day and year set forth below.

NEW MEXICO DEPARTMENT OF TRANSPORTATION

By: _____
Deputy Secretary or Designee
Programs & Infrastructure

Date: _____

**REVIEWED AND APPROVED AS TO FORM AND LEGAL SUFFICIENCY BY THE
DEPARTMENT'S OFFICE OF GENERAL COUNSEL**

By: Cynthia A. Chant
Assistant General Counsel

Date: 6-8-18

CITY OF SANTA FE

By: [Signature]
Mayor

Date: 8/1/18

ATTEST

By: Yolanda Y. Nigro
City Clerk
cc mtg. 7/11/18

Date: 8-1-18

APPROVED AS TO FORM

By: [Signature]
City Attorney

Date: 6/12/18

CITY OF SANTA FE

By: See previous page
Mayor or Designee

Date: _____

By: Mary McCoy
Finance Director

Date: 07/31/18