

Contract Number
Vendor Number
Control Number

ITEM # 19-0186
DIS509/1
000054360
S100460

**1ST AMENDMENT TO
COOPERATIVE PROJECT AGREEMENT**

This Amendment is made and entered into this 12th day of April, 2019, 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 City entered into a Design Cooperative Project Agreement on March 23, 2017, attached as Exhibit "A" and made part of this Amendment; and,

Whereas, page 11, Section 22, of the Agreement allows both parties to make alterations and revisions to the said Agreement; and,

Whereas, it has become necessary to amend the Agreement to add additional FY2019 CMAQ funding and extend the termination date from September 30, 2019 to October 16, 2020; and,

Whereas, the Department and the Public Entity agree that the original 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 (a), delete in its entirety and insert the following:
 - a. The total funding for Project Control No. S100460, is Four Hundred Twenty Seven Thousand Two Hundred and zero cents (\$427,200) which will be shared by the Parties as follows:
 1. **FFY 2017 CONGESTION MITIGATION/AIR QUALITY-MAND (CMAQ)**
Funds Department's 85.44% share \$277,680
Design for The proposed project identified through RSA is the following: Lane reduction, Pedestrian improvement, Bicycle improvements, signalized intersections improvements, lighting, drainage accommodations and new signing and striping. (Description as per STIP database, this agreement only pertains to the design portion of Project Control No. S100460.)
 2. **City's matching 14.56% share** \$47,320
For the purpose stated above.
 3. **FFY 2017 CONGESTION MITIGATION/AIR QUALITY-MAND (CMAQ)**
Funds Department's 85.44% share \$42,720
ROW for the proposed project identified through the RSA is the following: Lane reduction, pedestrian improvement, bicycle improvements, signalized intersections improvements, lighting, drainage accommodations, new signing and striping. On Route FL4777 on Guadalupe street reconstruction "road diet" from Agua Fria street to Paseo De Peralta. (Description as per STIP database, this agreement only pertains to the design portion of Project Control No. S100460.)

- | | |
|--|------------------|
| 4. <u>City's matching 14.56% share</u> | \$7,280 |
| For the purpose stated above. | |
| 5. <u>FFY 2019 CONGESTION MITIGATION/AIR QUALITY-MAND (CMAQ)
Funds Department's 85.44% share</u> | \$44,600 |
| Design for The proposed project identified through RSA is the following: Lane reduction, Pedestrian improvement, Bicycle improvements, signalized intersections improvements, lighting, drainage accommodations and new signing and striping. (Description as per STIP database, this agreement only pertains to the design portion of Project Control No. S100460.) | |
| 6. <u>City's matching 14.56% share</u> | \$7,600 |
| For the purpose stated above. | |
| 7. <u>The Total Project Funding</u> | \$427,200 |

- b. Attached as Exhibit A is a table of data on funding as required by 2 CFR 200.331
- c. The Public Entity shall pay all Project costs that exceed the total funding amount specified in this section.

2. Page 10, Section 19, delete in its entirety and insert the following:

19. Term.

This Agreement is effective on March 23, 2017. The effective date is the date when the last party signed the Agreement on the signature page below. This Agreement shall terminate on **October 16, 2020**. In the event a contract term extension is needed, the Public Entity shall provide written notice to the Department Region T/LPA Coordinator sixty (60) days prior to the expiration date to ensure timely processing of an Amendment. Upon termination, neither party shall have any obligation after said date except as stated in Sections 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 1st 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:  Date: 4/12/19
Deputy Secretary or Designee
Programs & Infrastructure

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

By:  Date: 12-26-18
Assistant General Counsel

CITY OF SANTA FE

By:  Date: 3/25/19
Mayor

ATTEST

By:  Date: 3-26-19
City Clerk
cc mtg. 3/13/2019

APPROVED AS TO FORM BY THE CITY ATTORNEY

By:  Date: 1/16/19
City Attorney

CITY OF SANTA FE contd.:

Mary McCoy

MARY MCCOY, FINANCE DIRECTOR

³
32827.572960

Business Unit / Line Item

Exhibit A

2 CFR 200.331 Requirements

Federal Award Identification.

(i) Public Entity name (which must match the name associated with its unique entity identifier);	City of Santa Fe
(ii) Public Entity's unique entity identifier (DUNS);	069420818
(iii) Federal Award Identification Number (FAIN);	Please see approved Federal Highway form.
(iv) Federal Award Date (see §200.39 Federal award date) of award to the recipient by the Federal agency;	Please see date on approved Federal Highway form.
(v) Cooperative Project Agreement(Design) Period of Performance Start and End Date;	Please see date on approved Federal Highway form thru 10/16/2020 (End date).
(vi) Amount of Federal Funds Obligated by this action by the pass-through entity to the Public Entity;	\$365,000
(vii) Total Amount of Federal Funds Obligated to the Public Entity by the pass-through entity including the current obligation;	This award is in addition to any previous awards received by sub-recipient from NMDOT.
(viii) Total Amount of the Federal Award committed to the Public Entity by the pass-through entity;	The total amount of this award is in addition to any previous awards received by sub-recipient from NMDOT.
(ix) Federal award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA);	Federal Highway Administration (FHWA)
(x) Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity;	FHWA, New Mexico Department of Transportation Sean Sandoval - 505 -660-6102, Sean.Sandoval@state.nm.us P.O. Box 1149 Santa Fe, NM 87501-1149
(xi) CFDA Number and Name;	20.205- Highway Planning & Construction
(xii) Identification of whether the award is R&D; and	No R&D
(xiii) Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414 Indirect (F&A) costs).	N/A