

Presented By:
City Manager

Action Taken:
Yes 6
No 0
Abstain 0

CITY OF NOME, ALASKA

RESOLUTION NO. R-19-01-02

**A RESOLUTION ACCEPTING AMENDMENT #1
TO THE LOCAL MATCH CONTRIBUTION AGREEMENT
FOR THE PORT ROAD IMPROVEMENTS PROJECT BETWEEN
THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES
AND THE CITY OF NOME**

WHEREAS, the Nome Common Council unanimously voted in November of 2009 to secure matching funds for the Port Road Improvements Project; and,

WHEREAS, the State of Alaska Department of Transportation and Public Facilities [has] set the local match amount at \$267,513.75 based on preliminary initial estimates design, right-of-way, utility relocations and construction; and,

WHEREAS, ADOT/PF has been pursuing development of the project and has notified the City of a revised project cost estimate and schedule, and to allow project development to continue the City must agree to provide a revised total match funding estimate to the project of \$380,502.00; and,

WHEREAS, to complete design, right of way acquisition and utility relocation activities, an additional match payment of \$30,477.00 is presently required, with the balance of \$329,708.00 for construction projected to be required in 2021; and,

WHEREAS, the project title and description are being revised, and the details of the local match and schedule are contained in proposed Amendment #1 to the Local Match Contribution Agreement, which was prepared and delivered to the City by ADOT/PF, dated December 7, 2018; and,

5, the estimated total project cost is currently \$7,100,000, 90.97% of which will be federal funds. Based on the function classification of major collector, the matching fund requirement of 9.03% is being shared equally by the City of Nome and the State of Alaska; and,

WHEREAS, the Port Road remains a key and vital transportation link to the City's port and industrial area; and,

WHEREAS, the Port Road continues to sustain heavy gravel and container truck traffic throughout the shipping season and, combined with public vehicles, pedestrians and bicycles, poses a significant safety hazard and remains in definite need of widening, paving, sidewalk addition and drainage maintenance; and,

NOW, THEREFORE, BE IT RESOLVED by the Nome Common Council that the City of Nome supports the Local Match Contribution Agreement of the Port Road Improvements Project between the State of Alaska Department of Transportation and Public Facilities and the City of Nome, and

authorizes the Mayor to execute Amendment #1 to the Local Match Contribution Agreement on behalf of the City of Nome.

APPROVED and SIGNED this 14th day of January, 2019.

A handwritten signature in blue ink, appearing to read "Richard Beneville", written over a horizontal line.

RICHARD BENEVILLE
Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Bryant Hammond", written over a horizontal line.

BRYANT HAMMOND
Clerk

Amendment 1
to the
Local Match Contribution Agreement
for the
Port Road Improvements Project
IRIS # Z621230000
between
The State of Alaska Department of Transportation and Public Facilities
and
The City of Nome

Purpose

- a. The purpose of this amendment is to update the following:
 - i. Amend the local match funding to reflect the latest project funding estimates and schedule.
 - ii. Modify the project title and scope.
- b. This amends the original agreement signed July 12, 2012.

I. Local Match Contribution

- a. **The City of Nome (CON) hereby agrees to provide a total of three hundred eighty thousand five hundred two dollars (\$380,502.00) to the State of Alaska Department of Transportation and Public Facilities (ADOT&PF) to fulfill the CON share of the local match contribution required for the design and construction of the Port Road Improvements project. The local contribution shall be lump sum payments made by the CON to ADOT&PF for each project phase prior to obligation of federal funds for that phase of the project. The funding schedule is provided below.**
- b. **The initial payment in the amount of twenty thousand, three hundred seventeen and 50/100 dollars (\$20,317.50) was received by the ADOT&PF on July 12, 2012.** This match payment was for the *preliminary design estimate shown in the first line of the funding schedule* provided below. The table also shows the estimated funding necessary for each additional phase and the associated match.
- c. **To initiate the final design phases of the project, local match amount of thirty thousand four hundred seventy seven dollars (\$30,477.00) is needed from the CON. This amount includes phases 2, 3, and 7 as shown in the estimated project funding schedule below.**

- d. The local match amount is 9.03% of the **estimated total project cost of \$7,100,000**. Based on the functional classification of major collector, the matching fund requirement will be shared equally by the CON and State. The match also includes a 50% pre-construction and a 15% construction contingency.

II. Revised Project Details:

- a. **Original Project Title:** Nome Port Road Reconstruction
- b. **Revised Project Title:** Nome Port Road Improvements
- c. **Original Project Description:** Reconstruct and realign Port Road in Nome, including drainage improvements and construction of sidewalks.
- d. **Revised Project Description:** Widen and resurface the existing Port Road in Nome, including but not limited to drainage improvements, safety improvements and pedestrian facilities.

III. Revised Project Funding Schedule:

This project is scheduled for obligation of design and construction funds as follows:

Phase	FFY	Estimated Phase Needs (Total \$)	4.52% MATCH REQUIRED	MATCH CONTINGENCY REQUIRED**	TOTAL MATCH
2	2012	\$300,000.00	\$13,545.00	\$6,772.50	\$20,317.50
2	2019	\$200,000.00	\$9,030.00	\$4,515.00	\$13,545.00
3	2019	\$150,000.00	\$6,773.00	\$3,386.00	\$10,159.00
7	2019	\$100,000.00	\$4,515.00	\$2,258.00	\$6,773.00
4	2021	\$6,350,000.00	\$286,703.00	\$43,005.00	\$329,708.00
Total		\$7,100,000.00	\$320,565.00	\$59,937.00	\$380,502.00
Check #1:					-\$20,317.50
Remaining:					\$360,184.50
** 50% Contingency required for Phase 2-Design, Phase 3-ROW, and Phase 7-Utilities. 15% Contingency required for Phase 4-Construction.					

- IV. ADOT&PF may alter this funding schedule for reasons that are beyond its control, including, but not limited to elimination or restriction of funds at the state and federal level.

V. Upon project completion and final project closeout, if the final cost is less than the current estimated total cost, the local contribution will be recalculated and any excess local cash contribution will be refunded to the CON.

VI. The CON and the ADOT&PF may amend this agreement by mutual consent.

Richard Beneville, Mayor
City of Nome

Date

Ryan Anderson, P.E., Regional Director
Department of Transportation & Public Facilities

Date

Presented by:
City Manager
Action Taken:
Yes 6 No 0
Abstain 0

CITY OF NOME, ALASKA

RESOLUTION NO. R-12-07-04

**A RESOLUTION SUPPORTING THE LOCAL MATCH CONTRIBUTION AGREEMENT
OF THE PORT ROAD IMPROVEMENTS PROJECT BETWEEN THE STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES AND THE CITY OF NOME**

WHEREAS, the Nome Common Council unanimously voted in November of 2009 to secure matching funds for the Port Road Improvements Project; and,

WHEREAS, the State of Alaska Department of Transportation and Public Facilities has set the local match amount at \$267,513.75; and,

WHEREAS, the Port Road remains a key and vital transportation link to the City's port and industrial area; and,

WHEREAS, the Port Road continues to sustain heavy gravel and container truck traffic throughout the shipping season and, combined with public vehicles, pedestrians and bicycles, poses a significant safety hazard and remains in definite need of widening, paving, sidewalk addition and drainage maintenance; and,

NOW, THEREFORE, BE IT RESOLVED by the Nome Common Council that the City of Nome supports the Local Match Contribution Agreement of the Port Road Improvements Project Between the State of Alaska Department of Transportation and Public Facilities and the City of Nome.

APPROVED and **SIGNED** this 9th day of July, 2012.


DENISE MICHELS, Mayor

ATTEST:


TOM MORAN, City Clerk



P.O. Box 281 • Nome, Alaska 99762
phone 907.443.6663 fax 907.443.5349

July 12, 2012

Ms. Alexa Greene, Planner III
State of Alaska
Department of Transportation & Public Facilities
2301 Peger Road
Fairbanks, AK 99709-5316

Subject: Port Road Improvements Project

Dear Ms. Greene: *Alexa*

Please find attached a copy of agreement between the State of Alaska Department of Transportation & Public Facilities and the City of Nome, for the Port Road Improvements Project.

Also enclosed is check number 3254 in the amount of \$20,317.50, to begin the design process of the project.

I appreciate your assistance with this project. Should you have further questions, please contact me at (907) 443-6600.

Sincerely,
CITY OF NOME

Josie Bahnke
City Manager

Enclosures

Local Match Contribution Agreement

of the

Port Road Improvements Project

Between

The State of Alaska Department of Transportation and Public Facilities

and

The City of Nome

I. Local Match Contribution

1. The City of Nome (CITY) hereby agrees to provide Two Hundred Sixty-Seven Thousand, Five Hundred Thirteen Dollars and Seventy-Five cents (\$267,513.75) to the State of Alaska Department of Transportation and Public Facilities (DOT&PF) to fulfill the CITY's share of the local match contribution required for the design and construction of the Port Road Improvements Project. The local contribution shall be a lump sum payment made by the CITY to DOT&PF prior to obligation of Federal funds for each phase of the project.

The funding schedule is provided below in section four; however the first portion of \$20,317.50 is required to begin the design process of the project.

2. The total local match amount is based on the amount of matching funds required for federal-aid highway funding participation on a project with an estimated total cost of \$5,000,000.00. The local match percentage is $\frac{1}{2}$ of 9.03 %, of which DOT&PF provides the remaining $\frac{1}{2}$ of the 9.03%. The match amount also includes a 50% contingency for design, right of way, and utilities phases; and a 15% contingency for construction. This contingency is worked into all projects and is for cost overruns.
3. The DOT&PF and the CITY will execute an amendment to this Memorandum of Agreement (MOA), if changes are needed to the scope, schedule and/or budget. The CITY will be required to provide additional match funds associated with an increased budget. Upon project completion and final project closeout, if the final cost is less than the current estimated total cost, the local contribution will be recalculated and any excess local cash contribution will be refunded to the CITY.

4. DOT&PF and the CITY have developed the following project description and hereby agree to construct this project in accordance with the following project description and schedule:

Project Description:

Widen and resurface the existing Port Road, including, but not limited to, drainage improvements, safety improvements, and sidewalks as funding allows.

Schedule:

This project is scheduled for obligation of funds as follows (project total - \$5,000,000.00):

<u>FFY 2012:</u>	\$300,000.00 for Phase 2, Design		
	4.52%	(1/2 of 9.03%) LOCAL Match Required:	\$13,545.00
		(state will also pay 1/2 of the 9.03% match amount)	
	50.00%	Additional LOCAL Match Contingency:	\$6,772.50
		Total Match Required from the CITY:	\$20,317.50
<u>FFY 2013:</u>	\$150,000.00 for Phase 3, Right of Way		
	4.52%	(1/2 of 9.03%) LOCAL Match Required:	\$6,772.50
		(state will also pay 1/2 of the 9.03% match amount)	
	50.00%	Additional LOCAL Match Contingency:	\$3,386.25
		Total Match Required from the CITY:	\$10,158.75
<u>FFY 2013:</u>	\$50,000.00 for Phase 7, Utilities		
	4.52%	(1/2 of 9.03%) LOCAL Match Required:	\$2,257.50
		(state will also pay 1/2 of the 9.03% match amount)	
	50.00%	Additional LOCAL Match Contingency:	\$1,128.75
		Total Match Required from the CITY:	\$3,386.25
<u>FFY 2014:</u>	\$4,500,000.00 for Phase 4, Construction		
	4.52%	(1/2 of 9.03%) LOCAL Match Required:	\$203,175.00
		(state will also pay 1/2 of the 9.03% match amount)	
	15.00%	Additional LOCAL Match Contingency:	\$30,476.25
		Total Match Required from the CITY:	\$233,651.25

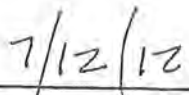
Summary:

Total Federal Funding	<u>\$4,548,500.00</u>
1/2 of the LOCAL Match Required:	<u>\$225,750.00</u>
1/2 of the STATE Match Required:	<u>\$225,750.00</u>
Total Project Estimate (with Match)	<u>\$5,000,000.00</u>
LOCAL Match Contingency:	<u>\$41,763.75</u>
Match Required from the CITY including contingency:	<u>\$267,513.75</u>

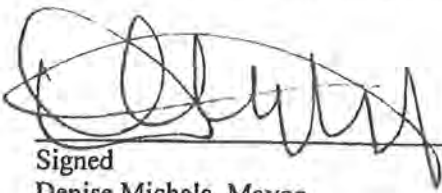
5. DOT&PF may alter this funding schedule for reasons that are beyond its control, including elimination or restriction of funds at the federal level. If DOT&PF does not otherwise maintain its commitment to this funding schedule, the CITY shall have the option of withdrawing from this Agreement and shall be reimbursed for its local contribution.
6. The CITY and DOT&PF may amend this agreement by mutual consent.



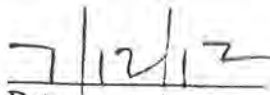
Signed
Steve Titus, P.E., Regional Director
Department of Transportation & Public Facilities



Date



Signed
Denise Michels, Mayor
City of Nome



Date