

**BILL NO. 0214181**

**ORDINANCE NO. 1667**

AN ORDINANCE AUTHORIZING THE CITY OF HAMILTON AUTHORIZING THE MAYOR TO SIGN A SUPPLEMENTAL AGREEMENT WITH THE MISSOURI DEPARTMENT OF HIGHWAYS AND TRANSPORTATION IN CONNECTION WITH DOWNTOWN SIDEWALK IMPROVEMENTS

**Be it ordained by the Board of Aldermen of the City of Hamilton, Missouri as follows to wit:**

**SECTION 1:** The Mayor of the City of Hamilton, Missouri is hereby authorized on behalf of the City of Hamilton, Missouri, to sign a supplemental agreement for the City's Transportation Alternatives Project No TAP-9900(123) with the Missouri Highways and Transportation Commission a copy of which is attached hereto as Exhibit A and made a part hereof, and to do each and every act required by such Agreement to fully carry out the terms and conditions of the Agreement.

**SECTION 2:** This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

**SECTION 3:** This ordinance shall be in full force and effect from and after the date of its passage and approval.

**SECTION 4:** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 5:** This supplemental agreement extends the bid award date to December 15, 2018, which was previously April 20, 2018.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 14th day of February 2018.

\_\_\_\_\_  
Travis Trosper, President  
of Board of Aldermen

Approved on this 14th day of February 2018.

\_\_\_\_\_  
*Winford Gilliam*  
Winford Gilliam, Mayor

Attest:

\_\_\_\_\_  
*Debra Davis*  
Debra Davis, City Clerk

CCO FORM: FS31

Approved: 11/15 (MWH)

Revised: 03/17 (MWH)

Modified:

City of Hamilton

Project TAP-9900(123)

CFDA Number: 20.205

CFDA Title: Highway Planning and Construction

Award name/number: TAP-9900(123)

Award Year: 2017

Federal Agency: Federal Highway Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION  
TRANSPORTATION ALTERNATIVES FUNDS  
SUPPLEMENTAL AGREEMENT**

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

WITNESSETH:

WHEREAS, on March 22, 2017, the Commission and the City previously entered into a Transportation Alternatives Funds Agreement as to public improvements designated as TAP-9900(123), for the construction of sidewalks within the city limits of Hamilton, on Missouri Route 13, from Business 36 north to Bird Street (hereinafter, "Original Agreement"); and

WHEREAS, the Commission and the City now desire to revise the Original Agreement.

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

(1) REVISION: "Exhibit B" of the Original Agreement is removed and replaced with the following: "Exhibit B" attached hereto.

(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.

*[Remainder of Page Intentionally Left Blank]*

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

Executed by the City this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Executed by the Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION

CITY OF HAMILTON

\_\_\_\_\_  
Title: \_\_\_\_\_

By Walter Cullen  
Title: Mayor

ATTEST:

ATTEST:

\_\_\_\_\_  
Secretary to the Commission

By Debra A. Davis  
Title: city clerk

Approved as to Form:

Approved as to Form:

\_\_\_\_\_  
Commission Counsel

Robert Goodland  
Title: Attorney for City

Ordinance No.: \_\_\_\_\_

### Exhibit B – Project Schedule

Project Description: Project number TAP-9900(123) to construct sidewalks within the city limits of Hamilton, on Missouri Route 13, from Business 36 north to Bird Street.

<b>Task</b>	<b>Date</b>
Date funding is made available or allocated to recipient	N/A
Solicitation of Professional Engineering Services (advertised)	N/A
Engineering Services Contract Approved	N/A
Conceptual Study (if applicable)	N/A
Preliminary and Right-of-Way Plans Submittal (if applicable)	N/A
Plans, Specifications & Estimates (PS&E) Submittal	6/30/2018
Plans, Specifications & Estimates (PS&E) Approval	8/30/2018
Advertisement for Letting	9/30/2018
Bid Opening	10/30/2018
Construction Contract Award or Planning Study completed <b>(REQUIRED)</b>	12/15/2018

\*Note: the dates established in the schedule above will be used in the applicable ESC between the sponsor agency and consultant firm.

\*\*Schedule dates are approximate as the project schedule will be actively managed and issued mitigated through the project delivery process. The Award Date or Planning Study Date deliverable is not approximate and a Supplemental Agreement is required to push this date back.