

SUPPLEMENTAL AGREEMENT NO. 1

CITY OF LEXINGTON
STATE OF NEBRASKA DEPARTMENT OF ROADS
PROJECT NO. URB-6558(1)
CONTROL NO. 61537
17TH ST & WALNUT ST RESURFACING
PROGRAM AGREEMENT

THIS SUPPLEMENTAL AGREEMENT, made and entered into by and between the City of Lexington, Nebraska, hereinafter referred to as the Local Public Agency or "LPA", and the State of Nebraska, Department of Roads, hereinafter referred to as the "State",

WITNESSETH:

WHEREAS, the LPA and the State have previously entered into Program Agreement BL1180, executed by the LPA on March 22, 2011 and executed by the State on April 6, 2011, hereinafter referred to as the "Original Agreement", and

WHEREAS, it now becomes necessary to allow for NEPA documentation services to be eligible for Federal-aid participation, and

WHEREAS, it is the desire of the LPA that this project be constructed under the designation of Project No. URB-6558(1), as evidenced by the Resolution of the LPA dated the ____ day of _____, 2011, attached and identified as Exhibit "A" and made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the LPA and State hereto agree as follows:

SECTION 1. The LPA and State agree that National Environmental Policy Act Services (NEPA Services) will be accomplished by a State Certified Consultant selected by the State. NEPA Services costs are estimated to be \$12,416.28 of which \$9,933.02 (80% of \$12,416.28) will be the federal share payable and \$2,483.26 (20% of \$12,416.28) will be the LPA share payable. The scope of professional services to be provided by the selected Consultant were negotiated by the State and outlined in a Professional Services Agreement executed by the LPA and Consultant. The State will pay the Consultant directly.

SECTION 2. The LPA and the State agree that, except for the provisions of Section 1 above, all terms and provisions of the Original Agreement, BL1180, on Project No. URB-6558(1), executed by the LPA on March 22, 2011 and executed by the State on April 6, 2011, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the LPA this _____ day of _____, 2011.

WITNESS:
Joe Peplitsch

CITY OF LEXINGTON
John Fagot

LPA Clerk

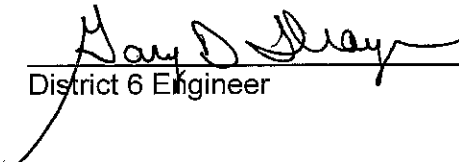
Mayor

EXECUTED by the State this _____ day of _____, 2011.

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Jim Wilkinson, P.E.

Local Projects Engineer

RECOMMENDED:
Gary Thayer



District 6 Engineer