

Order 200-19/20

Passage as an emergency: 8-1 (Ali absent) on 6/15/2020

Effective 6/15/2020

KATE SNYDER (MAYOR)  
BELINDA S. RAY (1)  
SPENCER R. THIBODEAU (2)  
TAE Y. CHONG (3)  
JUSTIN COSTA (4)

**CITY OF PORTLAND**  
**IN THE CITY COUNCIL**

KIMBERLY COOK (5)  
JILL C. DUSON (A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING MODIFICATIONS TO AGREEMENTS BETWEEN  
THE MAINE DEPARTMENT OF TRANSPORTATION AND PORTLAND  
RE: BAYSIDE TRAIL IMPROVEMENTS**

**ORDERED**, that the modification to the agreement between the Maine Department of Transportation and the City of Portland to construct improvements to the Bayside Trail with State Work Identification Number 18886.00 is hereby approved in substantially the form attached hereto; and

**BE IT FURTHER ORDERED**, that the agreement between the Maine Department of Transportation and the City of Portland to construct additional improvements to the Bayside Trail with State Work Identification Number 18364.01 is hereby approved in substantially the form attached hereto; and

**BE IT FURTHER ORDERED**, that the City Council hereby authorizes the City Manager or his or her designee to execute said documents and any other related documents necessary or convenient to carry out the intent of said documents and this Order.



<i>MaineDOT use only</i>	
AMS ID: <u>20170516000000000674</u>	_____
CSN: <u>37473</u>	_____
TEDOCS #: _____	_____
PROGRAM: <u>Multimodal</u>	_____

**MAINE DEPARTMENT OF TRANSPORTATION**  
**Modification 2 to an Agreement for a Locally Administered Project**  
 With the  
**City of Portland**  
 Regarding  
**Bayside Trail Intersection with Eastern Promenade Trail: WIN 018886.00**

<i>MaineDOT Use Only</i>	
Agreement Amount: <u>\$172,200.00</u>	Federal Project #: <u>TAP-1888(600)</u>
Federal Share: <u>\$ 137,760 (80%)</u>	Federal Award Date: <u>03/05/2015</u>
Municipal Share: <u>\$34,440.00 (20%)</u>	Portland Vendor ID: <u>VC1000073476</u>
Agreement Begin Date: <u>05/15/2017</u>	Portland DUNS® #: <u>07-174-7802</u>
Modified End Date: <u>12/31/2022</u>	CFDA # <u>20.205: Highway Planning &amp; Construction</u>

Modification 2 amends an Agreement for a federal-aid locally administered project between MaineDOT and the City of Portland that was executed May 15, 2017, for improvements to the intersection of the Bayside Trail and the Eastern Promenade Trail, as follows:

- Increased Project Cost.** The estimated Project Cost shall be increased by \$19,900.00 – from the original amount of \$152,300.00 to a new total amount of **\$172,200.00**, as set out below.
- Increased Payable Amount.** The maximum payable to the Municipality at the rate of 80 percent of participating costs incurred shall be increased by \$15,920.00 – from \$121,840.00 to **\$137,760.00**.
- Increased Local Share.** The Municipality’s 20 percent share of participating costs incurred shall be increased by \$3,980.00 – from \$30,460.00 to **\$34,440.00**. Additionally, the Municipality shall be responsible for all costs exceeding \$172,200.00, unless MaineDOT approves otherwise in writing by further modifying this Agreement.
- Expiration Date.** The expiration date shall be extended from May 31, 2021 to **December 31, 2022**.

All other terms and conditions of the original Agreement shall remain in effect without a gap. MaineDOT and the City of Portland, by their duly authorized representatives, have executed this modification to the original Agreement on the date last signed below.

**City of Portland**

**Maine Department of Transportation**

By: \_\_\_\_\_  
**Jon P. Jennings, City Manager \***

By: \_\_\_\_\_  
**Jerry Dostie, Project Manager \***

Date: \_\_\_\_\_

Date: \_\_\_\_\_

*\* I certify that the foregoing signature is true and accurate. I further certify – pursuant to 10 M.R.S.A. §9502, et seq. – that the signature, if electronic: (a) is intended to have the same force as a manual signature, (b) is unique to me, (c) is capable of verification, (d) is under my sole control, and (e) is linked to data in such a manner that it is invalidated if the data are changed.*



<i>MaineDOT use only</i>	
AMS ID:	20170509000000000618
CSN:	37418
TEDOCS #:	
PROGRAM:	Multimodal

**MAINE DEPARTMENT OF TRANSPORTATION**  
**Modification 2 to an Agreement for a Locally Administered Project**  
 With the  
**City of Portland**  
 Regarding  
**Improvements to the Bayside Trail: WIN 018364.01**

Agreement Amount: <u>\$154,300.00</u>	Federal Project #: <u>TAP-1836(401)</u>
Federal Share: <u>\$123,440.00</u>	Federal Authorization Date: <u>08/22/2016</u>
Municipal Share: <u>\$30,860.00</u>	Portland's Vendor ID: <u>VC1000073476</u>
Effective Date: <u>05/05/2017</u>	Portland's DUNS® #: <u>07-174-7802</u>
Expiration Date: <u>12/31/2022</u>	CFDA #20.205: <u>Highway Planning &amp; Construction</u>

Modification 2 amends an Agreement between MaineDOT and the City of Portland that was executed May 5, 2017 for a federal-aid project for improvements to a portion of the Bayside Trail, as follows:

- Increased Project Cost.** The estimated Project Cost shall be increased by \$32,300.00 – from the original amount of \$122,000.00 to a new total amount of **\$154,300.00**, as set out below.
- Increased Payable Amount.** The maximum payable to the Municipality at the rate of 80 percent of participating costs incurred shall be increased by \$25,840.00 – from \$97,600.00 to **\$123,440.00**.
- Increased Local Share.** The Municipality’s 20 percent share of participating costs incurred shall be increased by \$6,460.00 – from \$24,400.00 to **\$30,860.00**. Additionally, the Municipality shall be responsible in full for all costs exceeding \$154,300.00, unless MaineDOT approves otherwise by further modifying this Agreement.

All other terms and conditions of the original Agreement shall remain in effect without a gap. MaineDOT and the City of Portland, by their duly authorized representatives, have executed this modification to the original Agreement on the date last signed below.

**City of Portland**

**Maine Department of Transportation**

By: \_\_\_\_\_  
**Jon P. Jennings, City Manager \***

By: \_\_\_\_\_  
**Jerry Dostie, Project Manager \***

Date: \_\_\_\_\_

Date: \_\_\_\_\_

*\* I certify that the foregoing signature is true and accurate. I further certify – pursuant to 10 M.R.S.A. §9502, et seq. – that the signature, if electronic: (a) is intended to have the same force as a manual signature, (b) is unique to me, (c) is capable of verification, (d) is under my sole control, and (e) is linked to data in such a manner that it is invalidated if the data are changed.*