

FEDERAL-AID PROJECT AGREEMENT
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION

PROJECT TITLE:

Senator Mike Enzi Memorial Overpass Replacement Project

Federal

Project Number:

FH24001

PROJECT DESCRIPTION:

Replacement of the Senator Mike Enzi Memorial Overpass – Develop information gathering and reconnaissance, preliminary engineering, environmental studies through NEPA decision, final design, preliminary ROW drawings and acquisition cost estimates.

SUBRECIPIENT NAME:

City of Gillette

SUBRECIPIENT UEI (SAM):

R8SVNWD7MGG1

PROJECT END DATE:

06/30/2027

CLASSIFICATION OF PHASE
 OF WORK TO BE PUT
 UNDER AGREEMENT

EFFECTIVE DATE OF
 AUTHORIZATION

Highway Planning & Research	
Preliminary Engineering	
Right-of-Way	
Construction	
Other	

Table 1. Authorization Dates

PROGRAM CODE	FEDERAL SHARE	FEDERAL FUNDS	NON-FEDERAL FUNDS	TOTAL COST
Y926	90.49%	\$3,000,000.00	\$315,283.46	\$3,315,283.46
Total Project Cost				\$3,315,283.46

Table 2. Program Codes

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PROJECT STEWARDSHIP AND OVERSIGHT

The City of Gillette has complied or hereby agrees to comply with the applicable terms and conditions set forth in:

- Title 23, U.S. Code, Highways
- The regulations issued pursuant thereto, and the policies and procedures promulgated by the Federal Highway Administration
- All other applicable laws and regulations

As a condition to payment of the Federal funds obligated, the City of Gillette accepts and will comply with the provisions set forth in 23 CFR 630.112. These provisions incorporate by reference all other federal laws and regulations pertaining to the project or the activity for which the funds are obligated. Solely for the purpose of emphasis, such applicable provisions include, but are not limited to, the requirements of:

- Appendix A to 2 CFR Part 170 and
- 2 CFR 200

The FHWA has authorized certain work to proceed (see Table 1. Authorization Dates). For such authorized work, the federal funds obligated, or the advance-construction authorized, are not to exceed the amounts shown herein. The balance of the estimated total project cost is an obligation of the City of Gillette. Authorization of Federal funds extends only to project costs incurred by the City of Gillette following Federal Highway Administration’s authorization to proceed with the project.

PROJECT ACTION RESPONSIBILITY MATRIX	
ACTION	AGENCY RESPONSIBLE
GENERAL FINANCIAL MANAGEMENT	
Ensure the project is listed in the Statewide Transportation Improvement Program (STIP)	City of Gillette
Submit project agreement modifications to FHWA	City of Gillette
Submit federal fund reimbursement requests (Form PR-20) to FHWA	City of Gillette
Approve project agreement modifications	FHWA
Approve federal fund reimbursement	FHWA

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PROJECT ACTION RESPONSIBILITY MATRIX	
ACTION	AGENCY RESPONSIBLE
PROCUREMENT, MANAGEMENT, AND ADMINISTRATION OF ENGINEERING AND DESIGN RELATED SERVICES (23 CFR 172)	
Consultant Contract Selection	City of Gillette
Approve consultant agreements and agreement revisions	City of Gillette
ENVIRONMENTAL IMPACT AND RELATED PROCEDURES (23 CFR 771)	
Approve Class of Action	FHWA
Submit environmental documents to FHWA	City of Gillette
Approve all actions required by Federal environmental laws and regulations	FHWA
PRECONSTRUCTION PROCEDURES (23 CFR 630)	
Approve Plans, Specifications, and Estimates	City of Gillette

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23 CFR § 630.112 Agreement provisions.

The City of Gillette stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the following applicable provisions:

(1) ***Project for acquisition of rights-of-way.*** In the event that actual construction of a road on this right-of-way is not undertaken by the close of the twentieth fiscal year following the fiscal year in which the project is authorized, the State DOT will repay to the FHWA the sum or sums of Federal funds paid to the City of Gillette under the terms of the agreement. The City of Gillette may request a time extension beyond the 20-year limit with no repayment of Federal funds, and the Federal Highway Administration may approve this request if it is considered reasonable.

~~(2) ***Preliminary engineering project.*** Section 11310(a) of the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the “Bipartisan Infrastructure Law” (BIL)), amended 23 U.S.C. 102 by striking what had previously been subsection (b) - known as the “10-year PE rule”. FHWA will not require repayment resulting from 23 CFR 630.112(c)(2).~~

(3) ***Drug-free workplace.*** By signing the project agreement, the City of Gillette agrees to maintain a drug-free workplace, identify all known workplaces under Federal awards, and fulfill other responsibilities required by 49 CFR part 32.

(4) ***Suspension and debarment verification.*** By signing the project agreement, the City of Gillette agrees to verify that contractors are not excluded through suspension or debarment, as required by 2 CFR parts 180, subpart C, and 1200.

(5) ***Lobbying certification.*** By signing the project agreement, the City of Gillette agrees to abide by the lobbying restrictions set forth in 49 CFR part 20. In signing the project agreement, the State is providing the certification required in appendix A to 49 CFR part 20.

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PROJECT TITLE:

Senator Mike Enzi Memorial Overpass Replacement Project

Federal

Project Number:

FH24001

CITY OF GILLETTE:

Available Funds Certified:

Amanda Muhlbauer, Grants Management Specialist

Approval Recommended:

Joseph D. Schoen, City Engineer

Approved and Authorized:

Shay Lundvall, Mayor

Attest:

Alicia Allen, City Clerk

FEDERAL HIGHWAY ADMINISTRATION:

Project Information Reviewed:

Joshua Jeppesen, Financial Specialist

Approval Recommended:

Henry Rettinger, Deputy Division Administrator

Approved and Authorized:

Joshua Cunningham, Acting Division Administrator