

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION ADMINISTRATION OF THE CLEAR CREEK GREENWAY**

**WHEREAS**, The NC Department of Transportation (“NCDOT”) has programmed funds via the Transportation Improvement Program for the construction of the Clear Creek Greenway, being the project described in TIP #: BL-0008 (the “Project”); and

**WHEREAS**, the City previously approved and executed an agreement with NCDOT providing that the City received Surface Transportation Block Grant funding for the project; and

**WHEREAS**, NCDOT has agreed to administer the construction phase of the Project; and

**WHEREAS**, The City will pay NCDOT for construction administration an amount equal to 20 percent of the total Project cost, said total Project cost being \$4,531,000.00, with the City’s 20 percent cost share being \$906,200.00; and

**WHEREAS**, the City Council desired to enter into an agreement with NCDOT providing that NCDOT will be responsible for the construction phase of the Project using Surface Transportation Block Grant funds.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hendersonville, North Carolina that:

1. The TIP Agreement, bearing Agreement ID # 1000027835, for the Clear Creek Greenway Project, TIP #: BL-0008, is approved; and
2. The City Manager is authorized to execute the TIP Agreement, with such changes as he deems appropriate, provided they are consistent with the terms of this Resolution.
3. The City Manager is authorized to approve change orders which cumulatively do not exceed \$90,620.00 (being 10% of the cost share under the TIP Agreement paid by the City), provided however that any necessary budget ordinance or project ordinance amendments must be brought back to the City Council for approval.

Adopted by the City Council of the City of Hendersonville, North Carolina on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Attest:

\_\_\_\_\_  
Barbara G. Volk, Mayor, City of Hendersonville

\_\_\_\_\_  
Jill Murry, City Clerk

Approved as to form:

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Angela S. Beeker, City Attorney