

Agreement for Surface Transportation Program Advance Funding

This Agreement is made between the Ozarks Transportation Organization (the "OTO") and the City of Republic ("The City" and/or "Republic") (together, the "Parties") for the purpose of reducing the balance of the Surface Transportation Program-Urban ("STP-Urban") funding allocated to OTO that is restricted to a maximum three-year allocation balance.

WITNESSETH:

WHEREAS, under the Infrastructure Investment and Jobs Act ("IIJA"), codified at 23 U.S.C. §§ 101-611, and specifically, the Surface Transportation Block Grant Program, 23 U.S.C. § 133, a specified number of STP-Urban funds were allocated to the OTO region for the purpose of improving and maintaining the transportation system in the OTO region; and

WHEREAS, the OTO currently sub-allocates STP-Urban funding to member jurisdictions on the basis of population; and

WHEREAS, STP-Urban funds can be advanced by the OTO to member jurisdictions meeting certain criteria in an amount up to (but not exceeding) the equivalent of three years of a member jurisdiction's STP-Urban funding allocation; and

WHEREAS, advance funding will be programmed by the OTO on a first come-first served basis, subject to the OTO's financial projections and applicable policies of the Missouri Department of Transportation; and

WHEREAS, the allowance to program future funding may be discontinued by the OTO (or other governing authority) at any time, with the exception of funding allocated for projects with signed agreements.

NOW, THEREFORE, the Parties agree as follows:

The OTO will allow the programming of future year allocations of STP-Urban funding upon signing this Agreement and pursuant to the following:

1. The City will be required to repay any amount expended beyond the current and prior year allocations in the event that the program is discontinued or funds are rescinded by the Federal Highway Administration. The repayment will be coordinated by OTO staff.
2. The City has submitted the Transportation Improvement Program ("TIP") project programming form, which has been placed on the agenda(s) of the Technical Committee and Board of Directors.
3. Board of Directors approval of the project's inclusion in the TIP shall constitute an approval of the use of advance funding.
4. The project will not be considered programmed until TIP approval is received from the Federal Highway and/or Federal Transit Administration.
5. The City has submitted proof of governing board approval via a Resolution of the City Council of the City of Republic, Missouri.
6. The City agrees to repay any amounts received that use future year STP-Urban allocations in the event the funding is no longer available.

CITY OF REPUBLIC, MISSOURI

By : _____

Print name: _____

Title: _____

OZARK TRANSPORTATION ORGANIZATION

By: _____

Print name: _____

Title: _____

Approved as to form:

City Attorney, Megan E. McCullough