

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY  
MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT  
AGREEMENT MODIFICATION #1**

**STATE OF MISSISSIPPI  
COUNTY OF HINDS**

**MDEQ AGREEMENT NO. 201-2-SW-5.6**

**SUBAWARD AGREEMENT**

This document is a Modification to the Subaward Agreement between the Mississippi Department of Environmental Quality (“MDEQ”), a pass-through entity as defined in 2 C.F.R. 200.1, and the City of Tupelo, Inc., UEI Number: DK9PFM6XSDR7 (“SUBRECIPIENT”, and together with MDEQ, the “Parties”, and each, a “Party”) which was entered into on the 15<sup>th</sup> day of August, 2023.

**WITNESSETH THAT:**

Whereas, MDEQ has determined that a modification of the Agreement is required:

**IT IS NOW THEREFORE AGREED BY THE PARTIES THAT:**

Section 2. **PROJECT** is revised as follows:

2. **PROJECT**

Under this Agreement, MDEQ agrees to disburse funds to SUBRECIPIENT in accordance with the terms herein to reimburse the costs associated with SUBRECIPIENT’s implementation of the project entitled "Ford Circle Pipe Project and Chickasaw Trail Drainage Improvements" (the “Project”).

Attachment A - Project Name, Scope of Work and Project Timeline and Requirements is replaced with the revised document attached.

**{Signature Page Follows}**

Except as it is modified by the provisions of **Agreement Modification No. 1**, this Agreement shall remain in full force and effect and all other provisions thereof are hereby incorporated and reaffirmed as if fully set forth herein.

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

\_\_\_\_\_  
Chris Wells  
Executive Director

\_\_\_\_\_  
Date

**CITY OF TUPELO, INC.**

\_\_\_\_\_  
Mayor Todd Jordan  
Signature of Authorized Representative

\_\_\_\_\_  
Todd Jordan  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

## ATTACHMENT A

### PROJECT NAME, SCOPE OF WORK AND PROJECT TIMELINE AND REQUIREMENTS

#### PROJECT NAME

Ford Circle Pipe Project and Chickasaw Trail Drainage Improvements

#### SCOPE OF WORK

The Project shall be defined as eligible activities funded in whole or in part under this Agreement as follows:

The Project includes removal of CMP, installation of RCAP, removal and replacement of curb and steel grate inlets, and associated appurtenances near Ford Circle. The Project also includes installation of new drain pipes, inlets and junction boxes within existing ditches adjacent to Chickasaw Trail and S. Gloster St. The Project also includes shaping existing ditch sections as well as installation of HDPE drain pipe, RCAP, and associated appurtenances.

The general Scope of Work to be performed by SUBRECIPIENT is limited to that which was submitted in the MCWI Application Portal and approved for funding in accordance with the MCWI Program Regulations. SUBRECIPIENT hereby agrees that no additional eligible scope may be added to this Scope of Work without the express written consent of MDEQ. The Scope of Work eligible for reimbursement is limited to that identified as eligible by MDEQ and further described by plans, specifications, contract documents, and contract change orders approved as eligible by MDEQ.

#### PROJECT TIMELINE AND REQUIREMENTS

- (1) SUBRECIPIENT agrees to the following schedule.
  - a. Within 10 days of execution of this Agreement, SUBRECIPIENT's Authorized Representative, or his/her designee shall watch the video on the MDEQ <https://www.mswaterinfrastructure.com> web-page entitled "American Rescue Plan Act State & Local Fiscal Recovery Funds, Procurement Overview." The web-page will track compliance with this requirement;
  - b. Within 15 days of execution of this agreement, submit a complete set of plans, specifications, contract documents on each construction contract, and all applicable permits and agency approvals, if not already submitted to MDEQ;
  - c. On or about June 15, 2024, advertise each construction contract for bids, if not already submitted to MDEQ;

- d. On or about July 15, 2024, but no later than 45 days after advertisement for construction bids on each construction contract, receive bids;
- e. No later than August 30, 2024, execute construction contract;
- f. No later than 15 days after execution of construction contract, submit the entire procurement file (including but not limited to the request for proposals, evidence of publication, MBE/WBE documentation, all received bids, evaluation and selection documentation, executed construction contracts, and professional services contracts);
- g. No later than 60 days after execution of each construction contract, execute and submit a copy of the notice to proceed;
- h. No later than 5 business days after the estimated completion of 25% of construction, submit a notice to MDEQ of such milestone;
- i. No later than 5 business days after the estimated completion of 50% of construction, submit a notice to MDEQ of such milestone;
- j. No later than 5 business days after the estimated completion of 75% of construction, submit a notice to MDEQ of such milestone;
- k. No later than 5 business days after completion of each construction contract, notify MDEQ of construction completion;
- l. No later than 30 days after the contract completion date on each construction contract, submit all change orders which include time extensions, or a request and justification for delaying MDEQ's final construction observation;
- m. Within 45 days of Project completion, but no later than September 30, 2026, whichever is earlier, unless an extension of this date is specifically authorized by MDEQ, SUBRECIPIENT must submit the following: Final Report, as listed in Article 11, the engineer's certification of compliance with plans, specifications, and contract documents; final professional services contract amendments, if any; and all other administrative forms and documents required by the Agreement.

(2) To the extent any documents required to be submitted in Attachment A, Article (1) above were submitted with the MCWI Grant Application through the Application Portal, the documents do not need to be resubmitted

(3) All documents required to be submitted in Attachment A, Article (1) above, shall be uploaded to the Documents Portal at <https://www.mswaterinfrastructure.com>.