

Order 279-20/21

Passage: 8-0 (Snyder absent) on 6/21/2021

Effective 7/1/2021

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

**CITY OF PORTLAND**  
IN THE CITY COUNCIL

MARK DION (5)  
APRIL D. FOURNIER(A/L)  
PIOUS ALI (A/L)  
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER APPROVING MODIFICATION THREE TO THE AGREEMENT BETWEEN  
PORTLAND AND THE MAINE DEPARTMENT OF TRANSPORTATION  
RE: CONGRESS STREET TRAFFIC SIGNALS**

**ORDERED**, that the Modification Three to the three-party agreement between the Maine Department of Transportation and the City of Portland to construct improvements to the Congress Street Traffic Signals with State Work Identification Number 018664.00 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.



*MaineDOT use only*

AMS ID: 20161011000000000190

CSN: 36622

PROGRAM: Multimodal

**MAINE DEPARTMENT OF TRANSPORTATION**  
**Modification 3 to a Locally Administered Project Agreement**  
 With the  
**City of Portland**  
 Regarding  
**Advanced Traffic Management System on Congress Street**

<i>MaineDOT Use Only</i>	
Modified Agreement Amount: <u>\$1,431,638.65</u>	Federal Authorization Date: <u>01/04/2016</u>
Federal Funds: <u>\$540,750.00</u>	Federal Project #: <u>STP-1866(400)</u>
State Funds: <u>\$15,000.00</u>	MaineDOT WIN: <u>018664.00</u>
Local Funds: <u>\$875,888.65</u>	Portland Vendor ID: <u>VC1000073476</u>
Agreement Begin Date: <u>10/06/2016</u>	Portland DUNS Number: <u>07-174-780</u>
Modified End Date: <u>12/31/2022</u>	CFDA #: <u>20.205</u>

Modification 3 amends an Agreement for a project consisting of traffic signal upgrades on Congress Street in Portland that took effect October 6, 2016. This modification increases the Agreement by \$383,638.65, consisting of additional contributions of \$127,800.00 from PACTS and \$255,838.65 from Portland to meet the lowest construction bid, as set out below.

**ARTICLE 2. PROJECT FINANCES**

- Section 2A UPSET LIMIT shall be modified to read as follows: The current estimated cost of the Project is **\$1,431,638.65** (Project Cost), to be shared as set out below.

**Preliminary Engineering and Right of Way, CSN 36622**

Local		Federal		Total
25%	\$34,596.45	75%	\$103,789.35	\$138,385.80

**Construction, CSN**

Local		Federal		State		Total
67.87%	\$820,042.20	30.89%	\$373,210.65	1.24%	\$15,000.00	\$1,208,252.85

**Construction Engineering, CSN 36622**

Local		Federal		Total
25%	\$21,250.00	75%	\$63,750.00	\$85,000.00

- Section 2B MAINEDOT SHARE shall be modified to read as follows:
  - In the preliminary engineering, right of way and construction engineering stages of the Project, MaineDOT will contribute federal money programmed by PACTS at the rate of **75 percent**, up to a maximum of **\$167,539.35**.

- In the construction stage, MaineDOT will contribute federal funding programmed by PACTS at the approximate rate of **30.89** percent, up to a maximum of **\$373,210.65**. Additionally, MaineDOT will contribute state funds to the construction stage of the Project at the approximate rate of 1.24 percent, up to **\$15,000.00**.

Section 2C LOCAL SHARE shall be modified to read as follows:

- In the preliminary engineering, right of way and construction engineering stages, the City shall share in federally participating costs at the rate of **25 percent**, for an estimated contribution of **\$55,846.45**.
- In the construction stage, the City shall share in federally participating costs at the approximate rate of **67.87 percent**, for an estimated contribution of **\$820,042.20**.
- Additionally, the City shall be fully responsible for the following:
  - Costs exceeding the total of this Agreement, as shown in Section 2A above; and
  - Costs incurred before the original execution date of 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: \_\_\_\_\_  
**Richard J. Crawford, P.E., Director \***  
 Bureau of Project Development

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.*



Darryl Belz, P.E.  
 MPO Engineer  
 Bureau of Planning  
 Maine Department of Transportation  
 16 State House Station  
 Child Street  
 Augusta, Maine 04433-0016

May 6, 2021

**Re: TIP Modifications for WIN 18664.00**

Dear Darryl,

On April 27, 2021, the PACTS Executive Board approved the transfer of funds from PACTS Holding WIN to WIN 18664.00 – Portland, Congress Street Signal Project. PACTS Executive Board agreed to fund up to 20% of the original available construction funding, which is \$170,400. The PACTS federal funds to transfer will be 75% of that amount. Further project details have been provided below.

**Funding Change**

<b>WIN Number</b>	<b>Project Title</b>	<b>Project Description</b>	<b>Current Funding</b>	<b>Additional PACTS Federal Funding</b>	<b>Additional Local Funding</b>	<b>Total Funding</b>
18664.00	Portland, Congress Street	Install/Replace Traffic Signals	\$1,048,000	\$127,800	\$255,838.65	\$1,431,638.65

Please let me know if you have any additional questions.

Best regards,

DocuSigned by:

*Elizabeth Roberts*

FBF6DDD7DD6444D...

Elizabeth Roberts, P.E.  
 Transportation Engineer

CC: Chris Chop  
 Jeremiah Bartlett  
 Brian Keezer  
 Harold Spetla