



State: Alaska

Project Number/Name: AK KENAI 2016(1), Extend Kenai Spur Highway - North Road in Kenai Peninsula Borough

Parties to this Agreement:

U.S. Department of Transportation
Federal Highway Administration
Western Federal Lands Highway Division, FHWA

and

Kenai Peninsula Borough

Purpose of Agreement:

The purpose of this agreement is to document the intent of Kenai Peninsula Borough to meet its match requirement for the subject project as authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). With this agreement, Western Federal Lands Highway Division, FHWA authorizes this project as eligible for federal participation. The purpose of this project is to Extend Kenai Spur Highway - North Road in Kenai Peninsula Borough. This agreement does not commit the parties to complete the project, but, rather sets forth the respective responsibilities as the project proceeds. Any subsequent decisions to complete final design and to construct the project will depend on authorizing legislation, NEPA analysis, availability of appropriations, and matching funds at the time of obligation.

The authority for FHWA to enter into this agreement is under Title 23 U.S.C. Section 204.

Funding:

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) provided funding for the project (CFDA #20.205)

All expenditures associated with this project after execution of this match agreement will need to be matched by a Non-Federal source, by other Federal funds other than those made available under Titles 23 and 49 of the United States Code, or by funds made available under 23 U.S.C. 202 and 203. The matching requirement under SAFETEA-LU will be met by Kenai Peninsula Borough and other agencies that have committed to the project in subsequent agreements. The forms of match may be those consistent with the 'Federal-Aid Guidance Non-Federal Matching Requirements' (http://www.fhwa.dot.gov/legregs/directives/policy/fedaid_guidance_nfmr.htm) as shown in the Funding Plan. In the state of Alaska, the match rate is 20.00% of the total project cost.



**Federal Lands Access Program
 Match Agreement**

Budget:

The following documents the expected costs of this project and the Match required:

<u>Item</u>	<u>Amount</u>
Planning	
Preliminary Engineering	\$1,290,169
Construction	\$4,872,465
Construction Engineering	\$324,000
Contingency - Contract Mods	
Total Estimated Cost:	
Match Rate Required (23 USC 120): _____	
Value of Match Required:	\$6,486,634
	20.00%
	<u>\$1,297,326.80</u>

NOTE: Minimum match of 20% is based on Federal Funds of \$5,142,231 is \$1,285,557. So this project has adequate match based items documented on page 3 of 6.



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Estimated costs and fiscal year (FY) for the funding are based on the best budgeting and scheduling information known at this time. The final cash Match will be determined based on actual expenditures at the conclusion of project work. Matching cash funds in FHWA receipt may need to be supplemented, or returned, once actual expenditures are determined. As noted under Modifications, if costs increase over the amount within this agreement, the FHWA will consult with the signing agency before granting approval.

The following agencies have agreed to contribute the amounts shown which will reduce the federal share by the same amount. The Funding Plan is as follows (Includes all agencies that are cooperating in the project):

Agency Contributions:

Agency	Form	Value	Phase	Comment
Kenai Peninsula Brgh	Cash	\$1,018,169.00	PE	No funds transfer needed PE completed by Kenai Peninsula
Kenai Peninsula Brgh	Cash	\$21,000	PE	No funds transfer needed LIDAR
Kenai Peninsula Brgh	In-Kind Service	\$70,000.00	CN	No funds transfer needed ROW Value
Kenai Peninsula Brgh	Cash	\$0.00	CE	No funds transfer needed CE completed by Kenai Peninsula
Kenai Peninsula Brgh	Cash	\$94,651.00	CN	Remaining funds from grant upgrade Jacob's Ladder
Kenai Peninsula Brgh	Cash	\$140,583.00	CN	Leaf's Creek Bridge
Kenai Peninsula Brgh	Cash	\$0	CE	KPB Staff Time to come from Federal funds

Total \$1,344,403 (match balance is \$58,846)

Valuation of real property, services, materials, equipment, and use of facilities will be established at fair market value (FMV), as determined by applicable Federal grant administration regulations and Federal Cost Principles [2 CFR 200]. Final in-kind match will be determined based on actual expenditures at the conclusion of project work in order to determine the minimum match commitment has been met. The value of in-kind match may need to be supplemented in order to meet the minimum match requirement. If the value of in-kind match is in excess of the minimum match, the excess value will not be returned or reimbursed.

Records:

Costs (both cash and non-cash) along with third party in-kind contributions counting towards satisfying a cost sharing or matching requirement must be verifiable from the records of grantees and subgrantee or cost-type contractors. These records must show how the value placed was derived.



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Federal Highway Contributions:

Fund	Year	Phase	Amount	Agree Type	Comment
R9M0	2016	PE	\$100,000.00		WFL efforts
R9M0	2016	CN	\$4,567,231.00	RA	To Kenai Peninsula Borough in RA
R9M0	2016	PE	\$41,000.00	RA	To Kenai Peninsula Borough in RA
R9M0	2016	PE	\$110,000.00	RA	To Kenai Peninsula Borough in RA
R9M0	2016	CE	\$324,000.00	RA	To Kenai Peninsula Borough in RA

Total: \$5,142,231

Modification:

This agreement may be updated periodically by mutual written consent of all parties.

Cost Over-runs:

The amount of SAFETEA-LU funds for this project is fixed at \$5,142,231.38. Costs above the \$5,142,231.38 and associated match will need to be provided by the Kenai Peninsula Borough or sources obtained by the Kenai Peninsula Borough.

Delivery Agency and Fund Transfers:

Kenai Peninsula Borough has been selected to deliver this project. A Reimbursable Agreement will be set up at a future date by the Project Manager. Kenai Peninsula Borough will invoice for appropriate charges through their accounting system up to the amount shown in the Funding Plan for Federal Highway Contributions.

This project is authorized to use a Tapered Match. Under this approach, the non-Federal match is imposed over the entire project rather than individual progress payments. Timing of all fund transfers are specified in the Funding Plan. Tapered Match is authorized because it will result in an earlier completion date.

Funds Transaction Information:

Please contact the following individuals to set up the funds transaction:

FHWA:

Peter Field, Branch Chief, Planning and Programs
 Western Federal Lands Highway Division, FHWA
 610 E. Fifth Street

Vancouver, WA 98661
 (360) 619-7619
 peter.field@dot.gov

Kenai Peninsula Borough

Craig Chapman, Finance Director
 Kenai Peninsula Borough
 144 North Binkley Street

Soldotna, Alaska 99669
 (907) 714-2170
 cchapman@kpb.us



US Department of Transportation
Federal Highway Administration

**Federal Lands Access Program
Match Agreement**

Western Federal Lands Highway Division, FHWA
610 E. Fifth Street
Vancouver, WA 98661

This Agreement shall be effective as of the date of the last signature:

Kenai Peninsula Borough

Approved By:

Mike Navarre, Mayor

Date



US Department of Transportation
Federal Highway Administration

**Federal Lands Access Program
Match Agreement**

Western Federal Lands Highway Division, FHWA
610 E. Fifth Street
Vancouver, WA 98661

**U.S. Department of Transportation
Federal Highway Administration
Western Federal Lands Highway Division, FHWA**

Approved By:

Dan Donovan, Director of Program Administration

Date