

**DISCLAIMER APPLICABLE TO
THE SIGNING OF A SUPPLEMENT TO A PROJECT PROGRAM AGREEMENT**

The following is a resolution drafted by the Nebraska Department of Roads (NDOR) that may be used by a Local Public Agency (LPA) when signing a supplement to a Project Program Agreement for a Federal-aid transportation project. It is offered ONLY as an example resolution that could be used by the LPA with appropriate modifications, for participation in the LPA Federal-aid program, and is subject to change. The LPA is responsible for the language in its actual resolution. This sample resolution should only be used after the LPA has thoroughly reviewed all Federal-aid program requirements, investigated all issues related to the LPA's statutory duties and responsibilities, and determined that it is in its best interest to continue to seek Federal-aid funding for this project. NDOR has not made any effort to investigate, or include in this sample resolution, any other requirements that the LPA should include in the resolution or that the LPA must meet in order to continue to seek undertake a project of this type (including designation of a Responsible Charge (RC) person, if the RC has not been designated yet or if the LPA is designating a RC to replace the previous RC). **Any changes to any substantive commitments of this sample resolution shall be approved in advance in writing by NDOR, or such changes will be considered null and void.** The LPA is ultimately responsible for all language used in its actual resolution and in making sure that the resolution is accurate and complete and meets all requirements of Federal, State and local laws, rules, regulations, policies and guidelines, and the NDOR LPA Guidelines Manual for Federal-aid Projects.

RESOLUTION

**(SIGNING OF A SUPPLEMENT TO A PROJECT PROGRAM AGREEMENT)
SUPPLEMENTAL PROJECT PROGRAM AGREEMENT NO. [Insert the NDOR
agreement number and supplement number here. Example: XL0757, Supplement
Number 1]**

[Insert name of Local Public Agency (LPA)]

Resolution No. _____

Whereas: [Insert name of LPA] and Nebraska Department of Roads (NDOR) have previously executed a Project Program Agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

Whereas: [Insert name of LPA] understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

Whereas: [Insert name of LPA] and NDOR wish to enter into a Supplemental Project Program Agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the [City Council, Board of Commissioners or Supervisors, etc., as appropriate] of [Insert name of LPA] that:

[Insert the individual's name and title - Chairperson of the Board, the Mayor or the CEO of the entity] is hereby authorized to sign the attached Supplemental Project Program Agreement [insert the NDOR agreement number and supplement number here. Example: XL0757, Supplement Number 1] between [Insert name of LPA] and the NDOR.

[Insert name of LPA] is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number [Insert the NDOR Project Number here],

NDOR Control Number [Insert the NDOR Control Number here],

[Insert the NDOR Project Name here].

Adopted this _____ day of _____, 2009 at _____ Nebraska.
(Month) (Year)

The [Insert City Council, Board of Commissioners or Supervisors, etc., as appropriate] of [Insert name of LPA]

Board/Council Member _____
Moved the adoption of said resolution
Member _____ Seconded the Motion
Roll Call: _____ Yes _____ No _____ Abstained _____ Absent
Resolution adopted, signed and billed as adopted

Attest:

[Signature of City or County Clerk or Corporate Secretary]