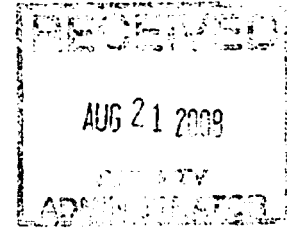




South Carolina
Department of Transportation



cc. Engman
Finance

August 15, 2008

FILE

Mr. Gary Kubic
County Administrator
Beaufort County Council
Post Office Drawer 1228
Beaufort, South Carolina 29901

RE: Amendment No. 1 to Cooperative Intergovernmental Agreement
William Hilton Parkway Re-surfacing Priority #1

Dear Mr. Kubic:

Enclosed is one (1) fully executed original of Amendment No. 1 to the intergovernmental agreement in place between the South Carolina Department of Transportation (SCDOT) and Beaufort County. This original is for your records.

Please do not hesitate to call me at 803-737-1527, if you have any questions. The SCDOT appreciates Beaufort County's continuing efforts to improve transportation throughout the County.

Sincerely,

John D. Boylston, P.E.
Program Manager

JDB:svg
Enclosure
File: PC/JDB





South Carolina
Department of Transportation

From: **Bonnie Frick**

Route To: _____

Date: August 13, 2008

MEMORANDUM FOR: **Contract Manager**
John Boylston

SUBJECT: **FULLY EXECUTED Agreement Between Department and**
Beaufort County

PROJECT: Amendment No. 1

Attached you will find 2 fully executed originals of the subject agreement. You are requested to distribute the copies/originals with notice to proceed as follows:

- Contract Manager (Original)
- Beaufort County (Original)
- Director of Obligation Management (Room 210) (Copy of Agreement and PAR to include any revisions)
- Darryl Hentz Accounting Manager (Room 204) (Copy of Agreement)
- Annette Rish Budget Office (Room 205) (Copy of Agreement)

Thank You,
Bonnie L. Frick

cc: Director of _____



First Amendment to the Cooperative Intergovernmental Agreement between Beaufort County, South Carolina and The South Carolina Department of Transportation For The Beaufort County Transportation Sales and Use Tax Projects.

This Agreement, made this 13th day, of August, 2008, by and between the South Carolina Department of Transportation, hereinafter referred to as Department; and Beaufort County, hereinafter referred to as County; and

Witnesseth that:

WHEREAS, Department and County entered into, on March 18, 2008, a Cooperative Intergovernmental Agreement (hereinafter "IGA") included herein by reference and made a part hereof for the Beaufort County Transportation Sales and Use Tax Projects; and

WHEREAS, the Department and County on June 17, 2008 entered into a modification to the IGA identified as "PRE-16-08" for the purpose of providing SAFETEA-LU Earmark funding and to outline responsibilities for the parties herein for the widening of US 278 from Road S-474 to SC 170 near Bluffton; and

WHEREAS, the US 278 Improvements Project is listed on the IGA's "Attachment 'A' Project List"; and

WHEREAS, County desires the Department to assist County in the design, right of way acquisition, and construction of the William Hilton Parkway Re-Surfacing Priority #1 (from Whooping Crane Way to Shelter Cove Lane, approximately 3.56 miles) of the US 278 Improvements Project in Beaufort County, South Carolina; and

WHEREAS, Department and County are agreeable to an amendment to the IGA to accomplish the services and funding of the William Hilton Parkway Re-Surfacing Priority #1; and

WHEREAS, County is a body politic with all the rights and privileges of such including the power to contract as a necessary and incidental power to carry out County's functions covered under this First Amendment; and

WHEREAS, Department is an agency of the State of South Carolina with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

NOW THEREFORE, in consideration of the several promises to be faithfully performed by the parties hereto as set forth, Department and County do hereby agree as follows:

1. **Purpose:** This First Amendment to the IGA is intended to amend the services and funding responsibilities of the parties hereto for the William Hilton Parkway Re-Surfacing Priority #1 (from Whooping Crane Way to Shelter Cove Lane, approximately 3.56 miles) of the US 278 Improvements Project in Beaufort County, South Carolina (hereinafter "Project").
2. **Services:** Department will provide design services, contract administration services and construction services.
3. **Funding:**
 - (a) All funding will be provided by County.
 - (b) Department will invoice County for County's cost share of Project, estimated at \$2,550,000.00. County will be responsible for all Project costs. All funds will be required by Department from County prior to the letting of the Project. Funds will be invoiced by Department to County and County shall make full payment on August 15, 2008. Overruns will be addressed as they occur and at the completion of the Project.
 - (c) The Parties hereto agree that no part of the Project will be authorized until all funding necessary for that part, portion or phase has been accounted for by the Parties hereto and received by Department.
4. **Miscellaneous/General:**

All provisions of the original IGA dated March 18, 2008, except herein modified or changed by this Amendment Number 1 shall remain in full force and effect.

PROJECT SUMMARY

This PROJECT SUMMARY section is for informational purposes only and does not reflect a continuation of services or an accumulation of costs.

<u>AGREEMENT</u>	<u>DATE</u>	<u>PROJECT</u>
Basic	March 18, 2008	Sales Tax
PRE-16-08	June 17, 2008	US 278 design/construction/funding from Road S-474 to SC 170
Amendment No. 1	<u>August 13, 2008</u>	William Hilton Pkway Priority #1 of the US 278 Improvements design/construction/funding

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first written above.

Signed, sealed and executed for County.

BEAUFORT COUNTY

WITNESS: [Signature]

By: [Signature]
Gary Kubic
Beaufort County Administrator

Attest: [Signature]
Bob Klink
Beaufort County Engineer

Signed, sealed and executed for the Department.

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

WITNESS: [Signature]

BY: [Signature]
H.B. Limehouse
Secretary of Transportation

MBL
JOB
SM

RECOMMENDED.
[Signature]
Tony L. Chapman, P.E.
Deputy Secretary for Engineering

[Signature]
Debra Rountree
Deputy Secretary for Finance & Administration