

CCO Form: AC10-A  
Approved: 05/94 (MLH)  
Revised: 01/15 (MWH)  
Modified:

Sponsor: City of Lee's Summit  
Project No. 11-109A-1

CFDA Number: CFDA #20.106  
CFDA Title: Airport Improvement Program  
Federal Agency: Federal Aviation Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION  
AMENDMENT TO STATE BLOCK GRANT AGREEMENT**

**AMENDMENT #2**

THIS AGREEMENT AMENDMENT #2 is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Lee's Summit (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Agreement executed by the Sponsor on May 23, 2011, and executed by the Commission on June 3, 2011 (hereinafter, "Original Agreement"), under which the Commission granted the sum not to exceed Four Hundred Seventy-Eight Thousand One Hundred Fifty Dollars (\$478,150) to the Sponsor to assist with Design Engineering to Widen and Extend Runway 18/36; and

WHEREAS, the parties entered into an Amendment #1 to the Original Agreement executed by the parties on January 22, 2015, (hereinafter, "Amendment 1") under which the Commission extended the project time period from April 30, 2012 to December 31, 2015, to allow for completion of the work; and

WHEREAS, the Commission previously approved funds for Design Engineering to Widen and Extend Runway 18/36; and

WHEREAS, the level of funding originally approved is not sufficient to cover the costs associated with Design Engineering to Widen and Extend Runway 18/36.

WHEREAS, the Commission has sufficient funds to increase the grant amount for Design Engineering to Widen and Extend Runway 18/36; and

WHEREAS, the parties now desire to enter into this Amendment #2.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) ADDITIONAL GRANT: The Commission grants to the Sponsor an additional sum not to exceed Forty-Seven Thousand Eight Hundred Five Dollars

(\$47,805) for Design Engineering to Widen and Extend Runway 18/36 subject to the following conditions:

(A) The Sponsor shall provide matching funds of not less than Two Thousand Six Hundred Fifty-Six Dollars (\$2,656) toward the project in addition to those previously committed by the Sponsor in the Original Agreement, which represents five percent (5%) of eligible project costs. The remaining Two Thousand Six Hundred Fifty-Six Dollars, which represents five percent (5%) of the additional funds needed to complete the project, will be paid with funds from a separate grant provided under the Commission's airport aid program pursuant to section 305.230.4.1 RSMo.

(B) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in Amendment #1.

(C) This Amendment shall expire and the Commission shall not be obligated to pay any part of the costs of the project unless this grant amendment has been executed by the Sponsor on or before February 1, 2017, or such subsequent date as may be prescribed in writing by the Commission.

(D) Based upon the revised project schedule, the original project time period of November 31, 2015 will be extended to December 31, 2016. Paragraph (1) of Amendment #1 is hereby amended accordingly.

(E) All other terms and conditions of the Original Agreement and Amendment #1 entered into between the parties shall remain in full force and effect.

(2) ADDITIONAL PROVISIONS: Because this project will be utilizing Federal Fiscal Year 2016 funds, the following provisions are applicable:

(A) Trafficking in Persons:

1. The prohibitions against trafficking in persons (hereinafter, "Prohibitions") apply to any entity other than a State, local government, Indian tribe, or foreign public entity. This includes private Sponsors, public Sponsor employees, subrecipients of private or public Sponsors, and individuals covered by third party contracts. Prohibitions include:

a. Engaging in severe forms of trafficking in persons during the period of time that the agreement is in effect;

b. Procuring a commercial sex act during the period of time that the agreement is in effect; or

c. Using forced labor in the performance of the agreement, including subcontracts or subagreements under the agreement.

2. In addition to all other remedies for noncompliance that are

available to the Federal Aviation Administration (hereinafter, "FAA"), Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104(g)), allows the FAA to unilaterally terminate this agreement, without penalty, if a private entity:

- a. Is determined to have violated the Prohibitions; or
- b. Has an employee who the FAA determines has violated the Prohibitions through conduct that is either:
  - i. Associated with performance under this agreement; or
  - ii. Imputed to the Sponsor or subrecipient using 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by the FAA at 49 CFR Part 29.

(B) Suspension and Debarment: Sponsors entering into "covered transactions", as defined by 2 CFR § 180.200, must:

1. Verify the non-federal entity is eligible to participate in this Federal program by:
  - a. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if non-federal entity is excluded or disqualified; or
  - b. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
  - c. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating; and
2. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. subcontracts).

(C) System for Award Management Registration and Universal Identifier:

1. Requirement for System for Award Management (hereinafter, "SAM"): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Commission submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Commission review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).

2. Requirement for Data Universal Numbering System (hereinafter, "DUNS") Numbers:

a. The Sponsor that it cannot receive a subgrant unless it has provided its DUNS number to the Commission.

b. The Commission may not make a subgrant to the Sponsor unless it has provided its DUNS number to the Commission.

c. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B

by telephone (currently 866-608-8220) or on the web (currently at <http://fedgov/dnb/com/webform>).

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below:

Executed by the Sponsor this \_\_\_ day of \_\_\_\_\_, 20\_\_.

Executed by the Commission this \_\_\_ day of \_\_\_\_\_, 20\_\_.

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION**

**CITY OF LEE'S SUMMIT**

\_\_\_\_\_  
Title \_\_\_\_\_

By \_\_\_\_\_  
Title \_\_\_\_\_

\_\_\_\_\_  
Secretary to the Commission

By \_\_\_\_\_  
Title \_\_\_\_\_

Approved as to Form:

Approved as to Form:

\_\_\_\_\_  
Commission Counsel

\_\_\_\_\_  
Title \_\_\_\_\_

Ordinance No. \_\_\_\_\_  
(if applicable)

**CERTIFICATE OF SPONSOR'S ATTORNEY**

I, \_\_\_\_\_, acting as attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing grant Agreement under the laws of the State of Missouri. Further, I have examined the foregoing grant Agreement and the actions taken by said Sponsor and Sponsor's official representative have been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and the Airport and Airway Improvement Act of 1982, as amended. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said grant constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

**CITY OF LEE'S SUMMIT**

Nancy Yendes,  
Chief Counsel of Infrastructure and Zoning

\_\_\_\_\_  
Signature of Sponsor's Attorney

Date \_\_\_\_\_