



Federal Highway Administration

**Match Agreement**

Vancouver, WA 98661

**State:** Montana

**Project Number/Name:** MT PFH 101(1), West Fork Rock Creek Road Reconstruction

**Parties to this Agreement:**

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

**Purpose of Agreement:**

The purpose of this agreement is to document the intent of Carbon County to meet its match requirement for the subject project as authorized under the Moving Ahead for Progress in the 21st Century Act (MAP-21), Title 23 U.S.C 120(b). With this agreement, Western Federal Lands Highway Division, FHWA authorizes this project as eligible for federal participation. The purpose of this project is to reduce the probability and severity of vehicle/vehicle and vehicle/bicycle-pedestrian crashes, lower maintenance costs, and restore pavement structure on West Fork Rock Creek Road from MP 0.0 to MP 2.81. 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:**

The Federal Lands Access Program of the Moving Ahead for Progress in the 21st Century Act (MAP-21) authorizes FHWA to provide funding for specific projects. The Program Decision Committee (PDC), consisting of FHWA, the State of Montana, and an organization representing the local agencies of the state, is designated to jointly decide upon projects funded in the state. The PDC has decided to provide funding for the development of this project and to program the project for construction in FY 2014 under the Montana State Federal Lands Access Program.

The matching requirement under MAP-21 will be met by Carbon County 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 NonFederal Matching Requirements' ([http://www.fhwa.dot.gov/legsregs/directives/policy/fedaid\\_guidance\\_nfmr.htm](http://www.fhwa.dot.gov/legsregs/directives/policy/fedaid_guidance_nfmr.htm)) as shown in the Funding Plan. In the state of Montana, the match rate is 13.42% of the total project cost. Carbon County will be responsible for meeting their match requirement for their share of costs incurred on the project after October 1, 2012; which is the date for implementation of MAP-21. Budget:

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

Item	Amount
Planning	
Preliminary Engineering	\$400,000
Construction	\$5,500,000
Construction Engineering	\$660,000



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Contingency - Contract Mods                      \$550,000

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Total Estimated Cost:                      \$7,110,000

Match Rate Required (23 USC 120):                      13.42%

Value of Match Required\*:                      **\$355,630**

\* Calculated by multiplying the Total Estimated Cost that is subject to match requirements by the percentage match required.



All Access Program expenditures associated with this project after October 1, 2012 will need to be matched by a NonFederal 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. Estimated costs are based on the best budgeting information known at this time. The final Match will be determined based on actual expenditures at the conclusion of project work. Matching 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 PDC 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:**

Phase	Agency	Form	Due	Received	Value	Comment
PE	Carbon Cty	In-Kind Service	9/1/2014		\$10,000	Management, Review, and Coordination. County to submit budget
PE	Carbon Cty	RW	9/1/2014		\$30,000	Acquisition to be completed before advertisement
CN	Carbon Cty	Cash	9/1/2014		\$50,000	Source proposed is from Resort Tax
CN	Carbon Cty	Cash	9/1/2015		\$50,000	Source proposed is from Resort Tax
CN	Carbon Cty	Cash	9/1/2016		\$50,000	Source proposed is from Resort Tax
CN	Carbon Cty	In-Kind Service	9/1/2017		\$150,000	Chip seal pavement to increase skid resistance because of transition weather ice problems
CN	Carbon Cty	Cash	9/1/2017		\$15,630	Source proposed is from Resort Tax
<b>Total:</b>					<b>\$355,630</b>	<b>Total W/O Toll Credits: \$355,630</b>

Carbon County is ONLY responsible for their respective match as shown in the table above.

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 [49 CFR 18 or 19] and Federal cost principles.

Records:  
 Costs and 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 on third party in-kind contributions was derived. To the extent feasible, volunteer services will be supported by the same methods that the organization uses to support the allocability of regular personnel costs. 49 CFR 18.24(b)(6)

**Federal Highway Contributions:**

Phase	Fund	FY	Amount	Comment
PE	F15E	2013	\$145,000	Updated from FH Decision 1/2/2013, Not subject to match
PE	F15E	2014	\$215,000	Updated from FH Decision 1/2/2013; Not subject to match
CN	F15E	2014	\$4,100,000	Return of Funds from Pipe Cr/Yaak/Benchmark Road Jobs. Not subject to match



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CN	G200	2014	\$1,084,370	
CM	G200	2014	\$550,000	Hold in reserve
CE	G200	2015	\$400,000	
CE	G200	2016	\$260,000	
Total:			\$6,754,370	

***Federal Lands Access Program funds are administered by FHWA and are subject to annual appropriations from Congress. This document does not commit FHWA to advance the project or provide funds for the project, but provides required matching if FHWA expends funds to advance the project.***



**Modification:**

This agreement may be updated periodically by mutual written consent of all parties. If project costs increase and are approved by the PDC, this funding agreement will be modified by mutual consent of all parties.

**Delivery Agency and Fund Transfers:**

Western Federal Lands Highway Division, FHWA has been selected to deliver this project. Upon execution of this agreement, FHWA will forward payment requests to the Enterprise Servicing Center (ESC) at Oklahoma City, which will send invoices to Carbon County in accordance with the payment schedule set forth in the Funding Plan. After receiving the invoice, Carbon County can transmit the funds either through Pay.Gov (<https://pay.gov/paygov/>) or by mailing a check to ESC. The preferred method is to use Pay.Gov.

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:

<b>FHWA:</b>	Jane Swanson-Webb, County
Tom Erkert, Federal Lands Access Program	Treasurer
Manager	
Western Federal Lands Highway Division, FHWA	17 West 11th Street
610 E. Fifth Street	PO Box 887
	Red Lodge, MT 59068
Vancouver, WA 98661	(406) 446-1221
(360) 619-7791	treasurer@co.carbon.mt.us
Tom.Erkert@dot.gov	

**Carbon County**

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

**Carbon County**

Approved By:

John E. Prinkki, Carbon County Commissioner  
John E. Prinkki, County Commissioner, Red Lodge District

November 18, 2013  
Date



US Department of Transportation  
Highway610 Division, E. Fifth FHWAStreet

**Federal Lands Access Program** Western Federal Lands

**Federal Highway Administration**

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

Approved By:

11.21.13

Dan Donovan, Director of Program Administration

Date