

**AMENDMENT NO. 8 TO
COOPERATIVE ENDEAVOR AGREEMENT**

BETWEEN

**STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

AND

**REGIONAL TRANSIT AUTHORITY
2817 CANAL STREET
NEW ORLEANS, LOUISIANA**

**ORLEANS, JEFFERSON, & ST. BERNARD PARISHES
RFx # 30000001294**

This Amendment (Amendment No. 8) to a certain Cooperative Endeavor Agreement (CEA) between the **Regional Transit Authority and (RTA)** and the **State of Louisiana Department of Transportation and Development (DOTD)** dated February 16, 2014, is entered into this 13th day of MAY, 2021.

WHEREAS, Article VII, Section 14(C) of the Constitution of the State of Louisiana, provides that “For a public purpose, the state and its political subdivisions or political corporations may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation, or individual”; and

WHEREAS, Article VI, Section 20 of the Constitution of the State of Louisiana provides that a political subdivision may exercise and perform any authorized power and function, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, or with the United States or its agencies; and

WHEREAS, Sub-Part A, Part VII, Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:1321, *et seq.*) (“Local Services Law”), provides that political subdivisions may engage jointly in the construction, acquisition or improvement of any public project or improvement, the promotion of and maintenance of any undertaking or the exercise of any power, provided at least one of the participants is authorized under a provision of general or special law to perform such activity or exercise such power as may be necessary for completion of the undertaking; and

WHEREAS, under the Local Services Law such arrangement may provide for the joint use of funds, facilities, personnel or property or any combination thereof necessary to accomplish the purpose of the CEA, and such agreements may include but are not limited to activities

concerning the improvement, operation, repair and maintenance of public assets to improvements;
and

WHEREAS, DOTD and RTA have determined that the Ferry Services contemplated in the CEA constitute a public purpose within the meaning of Article VII, Section 14(C) of the Constitution of the State of Louisiana and have specifically determined that the continuance of ferry services for public transit is an essential public purpose, whereby the ferry services provide a critical portion of transit in the region; and

WHEREAS, the parties hereto wish to cooperate for the purposes of a) efficient operation, improvement, management, and administration of the ferry lines designated in the CEA; and b) maintaining access to the designated ferry lines in accordance with the terms of the CEA

WHEREAS, Federal Transit Administration (FTA) grant monies are available for the funding of certain capital improvement projects in furtherance of the purposes of the CEA; and

WHEREAS, the parties wish to utilize the available FTA grant monies for completion of two projects, namely, an Automated Ferry Fare Collection System improvements which are authorized under State Project Number H.010968; and repower, dry dock, improvements, and maintenance of the M/V Neville Levy; and

WHEREAS, the DOTD and RTA acknowledge and agree that this Amendment No. 8 in no way impacts or amends the CEA, except as otherwise provided herein.

NOW THEREFORE BE IT RESOLVED, in consideration of the foregoing, the Parties hereby stipulate and agree to supplement and amend the Agreement as follows:

AMENDMENT PROVISIONS

I.

Article III, Section 3.5 is amended to add the following:

Furthermore, the parties expressly agree that, with regard to the following improvement projects, which are to be funded in part from certain FTA Grant monies, RTA shall have sole responsibility to develop specifications, advertise, contract, and administer each project in accordance with RTA standard procedures and all applicable state and federal contracting requirements:

Project	FTA Grant No.	Federal Funds	State HB2 Ferry Funds	Total Funds
Automated ferry fare collection, State Project No. H.010968	LA-90-X413	\$590,209.00	\$147,553.00	\$737,762.00
M/V Neville Levy repower, dry dock, improvements, and maintenance, State Project No.	LA-70-X003 LA-90-X401	\$1,523,000.00 \$108,347.00	\$407,837.00	\$2,039,184.00

II.

The Statement of Capital Funds for Vessel Improvements in attached Exhibit “F”, as referenced in Article III, Section 3.3, is amended as to read as follows:

The DOTD offers as part of this agreement, not to exceed the following amounts for a new ferry or capital investment in existing ferries. The work performed with these funds will have to be eligible for federal funding, and except as otherwise provided in Article III, Section 3.5, DOTD will have to administer the work.

III.

The table entitled Capital (One Time Funding) in attached Exhibit “F” is amended to add the following:

\$2,039,184 – FTA 5307 Grants (includes local matching from DOTD).

IV.

The Statement of Capital Funds for Facility Improvements in attached Exhibit “G”, as referenced in Article III, Section 3.4, is amended as to read as follows:

The DOTD offers as part of this agreement, not to exceed the following amounts for a new ferry or capital investment in existing ferries. The work performed with these funds will have to be eligible for federal funding, and except as otherwise provided in Article III, Section 3.5, DOTD will have to administer the work.

V.

The table entitled Capital (One Time Funding) in attached Exhibit “G” is amended to add the following:

\$737,762.00 – FTA 5307 Grants (includes local matching from DOTD).

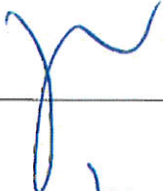
VI.

DOTD and RTA agree that all provisions of the above-referenced CEA, dated February 16, 2014, as well as Amendment Nos. 1 through 7, to the extent not inconsistent with this Amendment No. 8, shall remain in full force and effect.

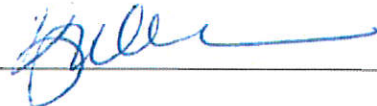
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IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their respective officers thereunto duly authorized as of the day and year first written above.

WITNESSES:




Jose Ruiz
Printed Name




Katherine Tolton
Printed Name

REGIONAL TRANSIT AUTHORITY



Alex Z. Wignac, CEO
Printed Name / Title

WITNESSES:



JACOB WILSON
Printed Name




Betty Griffith



Betty Griffith
Printed Name

**STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT**



Vincent Latture / Act. Sec. of OPS
Printed Name / Title

RECOMMENDED FOR APPROVAL

BY: 

Division Head