

VIII. PENALTY

Continued and willful failure on the part of the CITY to fulfill its responsibility in the proper maintenance and operation and the enforcement of the traffic regulations of the completed project, may disqualify the CITY from participation in future Federal Aid Projects in which the CITY has maintenance responsibility, as provided in Title 23 USC.

Such failure shall result in the withholding or withdrawal of the unexpended balance of any funds assigned to the CITY, under the provisions of Chapter 90, Section 34, of the Massachusetts General Laws.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the day and year first written.

CITY OF NEW BEDFORD

MAYOR

COMMONWEALTH OF MASSACHUSETTS
HIGHWAY DEPARTMENT

COMMISSIONER

LEGAL CERTIFICATION

This will certify that the City of New Bedford has complied with all applicable State Laws and its By-Laws and Ordinances as they apply to this Agreement and that this Agreement is a valid, binding Agreement with the City of New Bedford.

DATE

12/15/05

CITY SOLICITOR

CERTIFICATE OF SIGNATORY

This will certify that the below named individuals are duly authorized and empowered to execute and deliver this Agreement on behalf of the City of New Bedford.

NAME FREDERICK M. KALISZ, JR.

TITLE MAYOR

DATE DECEMBER 15, 2005

ATTEST

NAME Rita D. Arruda

TITLE CITY CLERK