

RESOLUTION

RE: APPROVE AMENDMENT #1 TO INTERGOVERNMENTAL AGREEMENT FOR CONSTRUCTION OF IMPROVEMENTS TO "O" STREET AND 59TH AVENUE INTERSECTION AND AUTHORIZE CHAIR TO SIGN – CITY OF GREELEY

WHEREAS, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

WHEREAS, the Board has been presented with Amendment #1 to the Intergovernmental Agreement for the Construction of Improvements to the "O" Street and 59th Avenue Intersection between the County of Weld, State of Colorado, by and through the Board of County Commissioners of Weld County, on behalf of the Department of Public Works, and the City of Greeley, commencing August 25, 2021, and ending December 31, 2025, with further terms and conditions being as stated in said amendment, and

WHEREAS, after review, the Board deems it advisable to approve said amendment, a copy of which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Weld County, Colorado, that Amendment #1 to the Intergovernmental Agreement for the Construction of Improvements to the "O" Street and 59th Avenue Intersection between the County of Weld, State of Colorado, by and through the Board of County Commissioners of Weld County, on behalf of the Department of Public Works, and the City of Greeley, be, and hereby is, approved.

BE IT FURTHER RESOLVED by the Board that the Chair be, and hereby is, authorized to sign said amendment.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by the following vote on the 16th day of August, A.D., 2023, nunc pro tunc August 25, 2021.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST:

Weld County Clerk to the Board

Mike Freeman, Chair

BY: _____

Deputy Clerk to the Board

Perry L. Buck, Pro-Tem

Scott K. James

APPROVED AS TO FORM:

County Attorney

Kevin D. Ross

Lori Saine

Date of signature: _____

**BOARD OF COUNTY COMMISSIONERS
PASS-AROUND REVIEW**

PASS-AROUND TITLE: City of Greeley Amended IGA – 59th Avenue & O Street RAB

DEPARTMENT: Public Works

DATE: 7/25/23

PERSON REQUESTING: Elizabeth Relford

Brief description of the problem/issue:

On August 25, 2021, Weld County and the City of Greeley executed an IGA to share in the cost for a roundabout (RAB) project at the intersection of 59th Avenue (CR 31) and O Street (CR 64). The deadline in the original IGA was for construction to be completed by December 31, 2023.

Greeley has requested amending the agreement deadline to December 31, 2025, to better align with their current construction schedule. Also, the amended IGA is adding a new component to include the mill and overlay cost share of 59th Avenue from the intersection improvements to SH 392. The two communities share jurisdiction of the corridor and having one contractor simultaneously perform the work for both agencies will be more efficient for the traveling public.

Therefore, the RAB project cost contribution of \$1,669,565 remains the same. Greeley and Weld County agree to share the mill and overlay cost (50/50) for 59th Avenue. Public Works has the budget to cover this cost. By contracting the work, it allows the pavement management division to continue working on the maintenance of other county roads.





Greeley has hired JR Engineering and is in the process of designing the RAB. Greeley received Surface Transportation and Block Grant (STBG) funding from the NFRMPO to assist with the project construction costs and is responsible for Project Managing the contractor and all the construction.

What options exist for the Board? (Include consequences, impacts, costs, etc. of options):

1. Approval to put the IGA on the Board's agenda for consideration.
2. Schedule a work session to further discuss the IGA.

Recommendation:

Staff recommends option 1.

	<u>Support BOCC Agenda Approval</u>	<u>Schedule Work Session</u>	<u>Other/Comments:</u>
Perry L. Buck, Pro-Tem	<u></u>	_____	_____
Mike Freeman, Chair	<u></u>	_____	_____
Scott K. James	<u></u>	_____	_____
Kevin D. Ross	<u></u>	_____	_____
Lori Saine	<u>Via Email</u>	_____	_____

Karla Ford

From: Lori Saine
Sent: Tuesday, July 25, 2023 10:51 AM
To: Karla Ford
Subject: RE: Please Reply - P/A City of Greeley Amended IGA - 59th Ave & O St RAB

yes

Lori Saine

Weld County Commissioner, District 3
1150 O Street
PO Box 758
Greeley CO 80632
Phone: 970-400-4205
Fax: 970-336-7233
Email: lsaine@weldgov.com
Website: www.co.weld.co.us

In God We Trust

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From: Karla Ford <kford@weld.gov>
Sent: Tuesday, July 25, 2023 10:44 AM
To: Lori Saine <lsaine@weld.gov>
Subject: Please Reply - P/A City of Greeley Amended IGA - 59th Ave & O St RAB
Importance: High

Please advise if you approve recommendation. Thank you.

Karla Ford ✉

Office Manager, Board of Weld County Commissioners
1150 O Street, P.O. Box 758, Greeley, Colorado 80632
:: 970.336-7204 :: kford@weldgov.com :: www.weldgov.com ::

****Please note my working hours are Monday-Thursday 7:00a.m.-5:00p.m.****

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
FOR CONSTRUCTION OF IMPROVEMENTS
TO "O" STREET & 59th AVENUE INTERSECTION**

This AMENDMENT TO INTERGOVERNMENTAL AGREEMENT FOR CONSTRUCTION OF IMPROVEMENTS TO "O" STREET & 59th AVENUE INTERSECTION ("IGA Amendment") is entered into this 16th day of August, 2023, between the City of Greeley, Colorado, a home rule municipality of the State of Colorado, whose address is 1000 10th Street, Greeley, Colorado 80631 ("GREELEY"), and the County of Weld, State of Colorado, by and through the Board of County Commissioners of the County of Weld, Colorado, whose address is P O Box 758, 1150 "O" Street, Greeley, Colorado 80632 ("WELD COUNTY")

WHEREAS, GREELEY and WELD COUNTY entered into the attached Intergovernmental Agreement for Construction of Improvements to "O" Street & 59th Avenue Intersection ("Original IGA"), fully executed and effective August 25, 2021, and,

WHEREAS, the parties wish to continue to work on the subject PROJECT until its completion, and

WHEREAS, GREELEY AND WELD COUNTY also desire to expand the Project scope of work to include a routine mill and overlay of Weld County Road (WCR) 31, also known as 59th Avenue in GREELEY, from the limits of these intersection improvements north to State Highway (SH) 392 ("the WCR 31 Mill and Overlay)

NOW, THEREFORE, FOR CONSIDERATION, THE ADEQUACY OF WHICH IS ACKNOWLEDGED, THE PARTIES AGREE AS FOLLOWS

- A The recited amount GREELEY has budgeted to offset its portion of the costs of the construction of the improvements is increased from \$5,212,000 to \$7,245,017, and
- B Paragraph 2 of the Original IGA is hereby deleted in its entirety and replaced as follows

2 PROJECT Subject to the terms contained in the Original IGA, GREELEY plans to undertake and complete the PROJECT no later than December 31, 2024, however, if the PROJECT is not completed by December 31, 2025, GREELEY shall reimburse WELD COUNTY for any amount contributed to the PROJECT to that date
- C Paragraph 4 of the Original IGA is hereby deleted in its entirety and replaced as follows

4 CONTRIBUTION BY WELD COUNTY WELD COUNTY agrees, upon receipt of an invoice, after the PROJECT has been bid and awarded to a contractor, to pay to GREELEY the sum of \$1,669,565 in 2024 to assist with construction, inspection, and oversight of the PROJECT In addition, WELD COUNTY AND GREELEY agree to share fifty-fifty (50/50) the costs associated with the WCR 31 Mill and Overlay, which will be included with the PROJECT bid
- D Paragraph 11 of the Original IGA is hereby deleted in its entirety and replaced as follows

11 NOTICES All notices required herein shall be mailed via First Class Mail to the parties' representatives at the addresses set forth below

GREELEY
Bhooshan Karnik
Deputy PW Director/Chief Engineer
2835 W 10th Street
Greeley, CO 80631

WELD COUNTY
Elizabeth Relford
Deputy PW Director
1150 "O" Street
Greeley, CO 80632

D ALL OTHER TERMS OF THE ORIGINAL IGA REMAIN IN FULL FORCE AND EFFECT

[Remainder of page intentionally left blank, signature page to follow]

IN WITNESS WHEREOF, the parties have executed this Amended IGA in duplicate on the date written above.

GREELEY:

APPROVED AS TO SUBSTANCE:

DocuSigned by:
Raymond C. Lee III
609D97446A843F

City Manager

APPROVED AS TO AVAILABILITY OF FUNDS:

DocuSigned by:
Sammy Hitchens
E7A66C703988A2

Director of Finance

APPROVED AS TO LEGAL FORM:

DocuSigned by:
Steph Lyman
33335C7281CA30

City Attorney

WELD COUNTY:

ATTEST: *Ascher G. Lesick*
WELD COUNTY Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

By: *Cheryl Hays*
(Deputy) Clerk to the Board

By: *Mike Freeman*
Mike Freeman, Chair



AUG 16 2023

2023-2415



DOCUMENT ROUTING MEMORANDUM

The purpose of this memorandum is to provide information regarding the attached document routed to you for your signature.

TO:

{Select Recipients Below - See Signature Authority Requirements}

- Doug Marek, City Attorney: Legal_Services@greeleygov.com
- Tammy Hitchens, Interim Finance Director: Tammy.Hitchens@greeleygov.com
- Raymond C. Lee III, City Manager: Val.Scheffer@greeleygov.com
- John Gates, Mayor: via CityClerk@greeleygov.com
- Heidi Leatherwood, City Clerk (Attest): Heidi.L Leatherwood@greeleygov.com

FROM:

ON BEHALF OF (If applicable):

Initials of above: ____ *(Must be first in signing order)*

RE: Resolution 15, 2023 - Amendment to Intergovernmental Agreement with Weld County

Executive Summary:

A RESOLUTION OF THE CITY OF GREELEY CITY COUNCIL AUTHORIZING THE CITY TO ENTER INTO AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH WELD COUNTY FOR THE CONSTRUCTION OF IMPROVEMENTS TO "O" STREET AND 59TH AVENUE INTERSECTION. INCREASE FROM \$5,212,000 TO \$7,245,017.

Time Sensitivity? If yes, deadline date and reason:

Legal Review:

Is this a standard contract as defined by City Code Section 2-184(a)(2) ? () Yes () No () N/A
If this is not a standard contract, and has not been reviewed by CAO, this document may not be routed for signatures.
Please submit for Legal Review on COGI prior to routing.

If this is not a standard contract, which attorney reviewed the document?

Name: _____

Obtained Approvals, Reviews, or Recommendations (If applicable)

<input type="checkbox"/> City Council Ord./Res. #: _____ Date: _____	<input type="checkbox"/> Board or Commission (specify) _____ Date: _____	<input type="checkbox"/> Other _____ Date: _____
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Contract Amount: _____ (if applicable)

THE CITY OF GREELEY, COLORADO

RESOLUTION 15, 2023

A RESOLUTION OF THE CITY OF GREELEY CITY COUNCIL AUTHORIZING THE CITY TO ENTER INTO AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH WELD COUNTY FOR THE CONSTRUCTION OF IMPROVEMENTS TO "O" STREET AND 59TH AVENUE INTERSECTION

WHEREAS, in accordance with C R S §29-1-203, governments may cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units,

WHEREAS, the City and Weld County currently share operational maintenance and jurisdiction of the intersection of 59th Avenue and "O" Street,

WHEREAS, the City Council authorized the City to enter into an Intergovernmental Agreement with Weld County for the Construction of Improvements to the "O" Street and 59th Avenue Intersection via Resolution 25, 2021, and

WHEREAS, the parties executed the Intergovernmental Agreement on August 3, 2021, and

WHEREAS, the parties now deem it necessary to amend the Intergovernmental Agreement to extend the timeframe for completion of the intersection improvements, to document the increased amount the City has budgeted for the project, and to memorialize the parties' agreement to split the cost of Mill and Overlay, and

WHEREAS, it is in the best interests of the citizens of the City to amend the Intergovernmental Agreement so that the project can continue

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1 The City Council hereby authorizes the City to execute the Amendment to the Intergovernmental Agreement for Construction of Improvements to "O" Street & 59th Avenue Intersection, a copy of which is attached hereto and incorporated herein as Exhibit A

Section 2 City staff is hereby authorized to make changes and modifications to the Amendment, so long as the substance of the Amendment and the original Intergovernmental Agreement remains unchanged

Section 3 This Resolution shall become effective immediately upon its passage, as provided by the Greeley Charter

PASSED AND ADOPTED, SIGNED AND APPROVED THIS 16th DAY OF MAY, 2023.

ATTEST:



THE CITY OF GREELEY, COLORADO

By: 
City Clerk

By: 
Mayor

Contract Form

New Contract Request

Entity Information

Entity Name *

CITY OF GREELEY

Entity ID *

@00001551

New Entity?

Contract Name *

CITY OF GREELEY IGA - O STREET & 59TH AVE RAB

Contract ID

7319

Parent Contract ID

Contract Status

CTB REVIEW

Contract Lead *

ERELFORD

Requires Board Approval

YES

Contract Lead Email

erelford@co.weld.co.us

Department Project #

Contract Description *

INTERGOVERNMENTAL AGREEMENT TO PAY \$1,669,565 TO THE CITY OF GREELEY FOR THE CONSTRUCTION OF A ROUNDABOUT (RAB) AT THE INTERSECTION OF O STREET (CR 64) AND 59TH AVE (CR 31) AND A MILL AND OVERLAY COST SHARE OF 50/50 FROM THE PROJECT LIMITS TO SH 392.

Contract Description 2

CITY OF GREELEY RECEIVED STBG FUNDING FROM THE NFRMPO TO ASSIST WITH CONSTRUCTION COSTS.

Contract Type *

AGREEMENT

Department

PUBLIC WORKS

Requested BOCC Agenda

Date *

08/16/2023

Due Date

08/12/2023

Amount *

\$1,669,565.00

Department Email

CM-

PublicWorks@weldgov.com

Will a work session with BOCC be required? *

NO

Renewable *

NO

Department Head Email

CM-PublicWorks-

DeptHead@weldgov.com

Does Contract require Purchasing Dept. to be included?

Automatic Renewal

Grant

County Attorney

GENERAL COUNTY

ATTORNEY EMAIL

IGA

YES

County Attorney Email

CM-

COUNTYATTORNEY@WELDG

OV.COM

IGA Deadline Date

If this is a renewal enter previous Contract ID

If this is part of a MSA enter MSA Contract ID

Note: the Previous Contract Number and Master Services Agreement Number should be left blank if those contracts are not in OnBase

2023-2415

Contract Dates

Effective Date

Review Date *

Renewal Date

08/16/2024

Termination Notice Period

Committed Delivery Date

Expiration Date *

08/16/2024

Contact Information

Contact Info

Contact Name

Contact Type

Contact Email

Contact Phone 1

Contact Phone 2

Purchasing

Purchasing Approver

Purchasing Approved Date

Approval Process

Department Head

.CURTIS HALL

Finance Approver

CHERYL PATTELLI

Legal Counsel

BRUCE BARKER

DH Approved Date

08/14/2023

Finance Approved Date

08/15/2023

Legal Counsel Approved Date

08/15/2023

Final Approval

BOCC Approved

Tyler Ref #

AG 081623

BOCC Signed Date

BOCC Agenda Date

08/16/2023

Originator

EREL FORD