






Board Summary Report

Date: September 11, 2019

To: Board of County Commissioners

Through: Bryan Weimer, Director
Public Works & Development (PWD) 

Through: Cathy Valencia,
Capital Improvements Program Manager 

From: Jon Williams, Capital Improvement Program 

Subject: C15-022, C15-023, C15-024 Quincy Avenue/ Gun Club Road Intersection Project;
Second Amendment of Intergovernmental Agreement (IGA) with CDOT for
extension of the construction end date (attached)

Request and Recommendation

This Summary Report requests approval of a resolution for the amendment of the Quincy Avenue/ Gun Club Road Intersection Improvement Project Intergovernmental Agreement (IGA) between Arapahoe County and the Colorado Department of Transportation (CDOT). This amendment is to modify the IGA construction completion date from November 12, 2020 to November 12, 2025. Per the attached IGA Amendment form.

Background

In September 2014 Arapahoe County completed a Transportation Improvement Program (TIP) Application to Denver Regional Council of Governors (DRCOG) for Construction of the Quincy Avenue / Gun Club Road Intersection and secured TIP funding to construct a Partial Continuous Flow Intersection. An IGA was executed with CDOT on November 13, 2015, and IGA Addendum 1 was executed on August 16, 2018. Construction of the project will begin in 2019.

Links to Align Arapahoe

Quality of Life

The Quincy / Gun Club Intersection Improvement Project will improve mobility, operation, and safety at Gun Club Road and Quincy Avenue. This amendment is required by CDOT and Federal Highway Administration FHWA to continue funding the project.

Fiscally Responsible

Using federal funding leverages the use of County dollars for needed public improvements, which allows the County dollars to be stretched further. Investments in County infrastructure improvements stimulates the economic environment and attracts development.

Service First

The County's ongoing relationship with CDOT and FHWA invigorates our ability to provide the best County infrastructure reasonably possible. County staff interact with State and Federal Government representatives as leaders in Transportation for the entire Denver metropolitan area and the State.

Discussion

The only change to the IGA is the establishment of a revised project completion date of November 12, 2025 per Super Circular requirements. This proposed amendment will not change the funding but will revise an original expiration date from November 12, 2020 to November 20, 2025. Staff has reviewed the schedule and expiration date and found them acceptable.

Alternatives

Taking no action would result in forfeiting the Federal funding. Alternatively, approving this amendment will sustain funding and the County's relationships with CDOT and FHWA.

Fiscal Impact

No fiscal impact if approved.

Concurrence

PWD Transportation Staff has reviewed the proposed IGA amendment and recommends approval.

Attorney Comments

County Attorney staff have reviewed and accepted the IGA amendment.

Reviewed By:

This BSR has been reviewed by:

Cathy Valencia, CIP Manager

Bryan Weimer, PWD Director

Robert Hill, Assistant County Attorney

Finance Department

RESOLUTION NO. _____. It was moved by Commissioner ____ and duly seconded by Commissioner _____ to approve and authorize the Chair of the Board of County Commissioners to sign the Amended Intergovernmental Agreement (IGA), by and between Arapahoe County and the Colorado Department of Transportation, regarding the revised construction phase end date of November 12, 2025 for the Quincy Avenue / Gun Club Road Intersection Improvements Project (C15-022), CDOT Project No. AQC 100-037 (20944)

The vote was:

Commissioner Baker ____; Commissioner Sharpe ____; Commissioner Holen ____; Commissioner Jackson ____; Commissioner Conti____.

The Chair declared the motion carried and so ordered.

1) PARTIES

This Amendment (the "Amendment") to the Original Agreement shown on the Signature and Cover Page for this Amendment (the "Agreement") is entered into by and between the Local Agency and the State.

2) TERMINOLOGY

Except as specifically modified by this Amendment, all terms used in this Amendment that are defined in the Agreement shall be construed and interpreted in accordance with the Agreement.

3) EFFECTIVE DATE AND ENFORCEABILITY

A. Amendment Effective Date

This Amendment shall not be valid or enforceable until the Amendment Effective Date shown on the Signature and Cover Page for this Amendment. The State shall not be bound by any provision of this Amendment before that Amendment Effective Date, and shall have no obligation to pay the Local Agency for any Work performed or expense incurred under this Amendment either before or after the Amendment term shown in §3.B of this Amendment

B. Amendment Term

The Parties' respective performances under this Amendment and the changes to the Agreement contained herein shall commence on the Amendment Effective Date shown on the Signature and Cover Page for this Amendment and shall terminate on the termination of the Agreement.

4) PURPOSE

The Parties entered into this Agreement for the Quincy Avenue and Gun Club Road intersection improvements.

5) MODIFICATIONS

The Parties desire to extend the termination period from five years to ten years. The Agreement shall now terminate on November 12, 2025.

6) LIMITS OF EFFECT

This Amendment is incorporated by reference into the Agreement, and the Agreement and all prior amendments or other modifications to the Agreement, if any, remain in full force and effect except as specifically modified in this Amendment. Except for the Special Provisions contained in the Agreement, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Agreement or any prior modification to the Agreement, the provisions of this Amendment shall in all respects supersede, govern, and control. The provisions of this Amendment shall only supersede, govern, and control over the Special Provisions contained in the Agreement to the extent that this Amendment specifically modifies those Special Provisions.

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