

**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 ____ day of _____, 2022, 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:

City Manager

APPROVED AS TO AVAILABILITY OF FUNDS:

Director of Finance

APPROVED AS TO LEGAL FORM:

City Attorney

WELD COUNTY:

ATTEST:
WELD COUNTY Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

By: _____
(Deputy) Clerk to the Board

By: _____
Scott K. James, Chair