

STATE OF COLORADO INTERGOVERNMENTAL AGREEMENT
Signature and Cover Page

State Agency Department of Transportation		Agreement Routing Number 25-HA3-XC-00038	
Local Agency TOWN OF MINTURN		Agreement Effective Date The later of the effective date or March 25, 2025	
Agreement Description Minturn - Bellm Bridge		Agreement Expiration Date March 24, 2035	
Project # BRO M890- 004 (26945)	Region # R3	Contract Writer BH	Agreement Maximum Amount \$372,279.00

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

Each person signing this Agreement represents and warrants that he or she is duly authorized to execute this Agreement and to bind the Party authorizing his or her signature.

<p style="text-align: center;">LOCAL AGENCY TOWN OF MINTURN</p> <p>By: _____ *Signature</p> <p>Name: _____ (Print Name)</p> <p>Title: _____ (Print Title)</p> <p>Date: _____</p>	<p style="text-align: center;">STATE OF COLORADO Jared S. Polis, Governor Department of Transportation Shoshana M. Lew, Executive Director</p> <p>_____</p> <p style="text-align: center;">Keith Stefanik, P.E., Chief Engineer</p> <p>Date: _____</p>
<p style="text-align: center;">SECOND LOCAL AGENCY SIGNATURE, IF NEEDED TOWN OF MINTURN</p> <p>By: _____ *Signature</p> <p>Name: _____ (Print Name)</p> <p>Title: _____ (Print Title)</p> <p>Date: _____</p>	<p style="text-align: center;">LEGAL REVIEW Philip J. Weiser, Attorney General</p> <p>_____</p> <p style="text-align: center;">Assistant Attorney General</p> <p>_____</p> <p style="text-align: center;">By: (Print Name and Title)</p> <p>Date: _____</p>
<p>In accordance with §24-30-202 C.R.S., this Agreement is not valid until signed and dated below by the State Controller or an authorized delegate.</p> <p style="text-align: center;">STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>By: _____ Department of Transportation</p> <p>Effective Date: _____</p>	

EXHIBIT C - FUNDING PROVISIONS**Town of Minturn BRO M890-004 (26945)****A. Cost of Work Estimate**

The Town of Minturn has estimated the total cost of the Work to be \$372,279.00, which is to be funded as follows:

1. FUNDING

a. Federal Funds (80% of BRO Award)	\$297,823.00
b. Local Agency Funds (20% of BRO Award)	\$74,456.00

TOTAL FUNDS ALL SOURCES	\$372,279.00
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2. OMB UNIFORM GUIDANCE

a. Federal Award Identification Number (FAIN):	TBD
b. Name of Federal Awarding Agency:	FHWA
c. Local Agency Unique Entity Identifier	R179TJG2WPX4
d. Assistance Listing # Highway Planning and Construction	ALN 20.205
e. Is the Award for R&D?	No
f. Indirect Cost Rate (if applicable)	N/A
g. Amount of Federal Funds Obligated by this Action:	\$0.00
h. Amount of Federal Funds Obligated to Date (including this Action):	\$0.00

3. ESTIMATED PAYMENT TO LOCAL AGENCY

a. Federal Funds Budgeted	\$297,823.00
b. Less Estimated Federal Share of CDOT-Incurred Costs	\$0.00

TOTAL ESTIMATED PAYMENT TO LOCAL AGENCY	80%	\$297,823.00
TOTAL ESTIMATED FUNDING BY LOCAL AGENCY	20%	\$74,456.00

TOTAL PROJECT ESTIMATED FUNDING	100.00%	\$372,279.00
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4. FOR CDOT ENCUMBRANCE PURPOSES

a. Total Encumbrance Amount (Federal funds + Local Agency funds)	\$372,279.00
b. Less ROW Acquisition 3111 and/or ROW Relocation 3109	\$0.00

NET TO BE ENCUMBERED BY CDOT IS AS FOLLOWS	\$372,279.00
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Note: No funds are currently available. Additional funds will become available after execution of an Option letter (Exhibit B) or formal Amendment.

Design 3020		
WBS Element 26945.10.30	Performance Period Start*/End Date	\$0.00
	TBD-TBD	
Const. 3301		
WBS Element 26945.20.10	Performance Period Start*/End Date	\$0.00
	TBD-TBD	

* The Local Agency should not begin work until all three (3) of the following are in place: 1) Phase Performance Period Start Date; 2) the execution of the document encumbering funds for the respective phase; and 3) Local Agency receipt of the official Notice to Proceed. Any work performed before these three (3) milestones are achieved will not be reimbursable.

B. Funding Ratios

The funding ratio for the federal funds for this Work is 80% federal funds to 20% Local Agency funds, and this ratio applies only to the \$372,279.00 that is eligible for federal funding. All other costs are borne by the Local Agency at 100%. If the total cost of performance of the Work exceeds \$372,279.00, and additional federal funds are not available, the Local Agency shall pay all such excess costs. If the total cost of performance of the Work is less than \$372,279.00, then the amounts of Local Agency and federal funds will be decreased in accordance with the funding ratio described in **A1. This applies to the entire scope of Work.**

C. Maximum Amount Payable

The maximum amount payable to the Local Agency under this Agreement shall be \$297,823.00. For CDOT accounting purposes, the federal funds of \$297,823.00 and the Local Agency funds of \$74,456.00 will be encumbered for a total encumbrance of \$372,279.00, unless this amount is increased by an executed amendment before any increased cost is incurred. The total budget of this funding source is \$372,279.00, unless this amount is increased by an executed amendment before any increased cost is incurred. The total cost of the Work is the best estimate available, based on the design data as approved at the time of execution of this Agreement, and that any cost is subject to revisions agreed to by the parties prior to bid and award. **This applies to the entire scope of Work.**

D. Single Audit Act Amendment

All state and local government and non-profit organizations receiving \$750,000 or more from all funding sources defined as federal financial assistance for Single Audit Act Amendment purposes shall comply with the audit requirements of 2 CFR part 200, subpart F (Audit Requirements) see also, 49 CFR 18.20 through 18.26. The Single Audit Act Amendment requirements applicable to the Local Agency receiving federal funds are as follows:

i. Expenditure less than \$750,000

If the Local Agency expends less than \$750,000 in Federal funds (all federal sources, not just Highway funds) in its fiscal year then this requirement does not apply.

ii. Expenditure of \$750,000 or more-Highway Funds Only

If the Local Agency expends \$750,000 or more, in Federal funds, but only received federal Highway funds (Catalog of Federal Domestic Assistance, CFDA 20.205) then a program specific audit shall be performed. This audit will

examine the “financial” procedures and processes for this program area.

iii. Expenditure of \$750,000 or more-Multiple Funding Sources

If the Local Agency expends \$750,000 or more in Federal funds, and the Federal funds are from multiple sources (FTA, HUD, NPS, etc.) then the Single Audit Act applies, which is an audit on the entire organization/entity.

iv. Independent CPA

Single Audit shall only be conducted by an independent CPA, not by an auditor on staff. An audit is an allowable direct or indirect cost.