

Attachment D
To Intergovernmental Agreement between
The NAVAJO NATION and SAN JUAN COUNTY, UTAH
For Road Projects

AUTHORITY:

Attachment D is to be appended to the Master Intergovernmental Agreement (IGA), Contract No. CO10906, for road maintenance and improvement projects between the Navajo Nation (NATION) and San Juan County, Utah (COUNTY) as contemplated in Sections 1.1 and 2.1 of the IGA.

SCOPE OF WORK

Navajo Route 407 (formerly County Road 407) - McElmo Bridge (037012C) Replacement - Aneth, UT

The McElmo Creek Bridge is located approximately 10.60 miles northeast of Aneth, Utah (T40S R26E) on Navajo Route 407 within the boundaries of the Navajo Reservation. The current structure is rated as scour critical by Utah Department of Transportation (UDOT) and the flared areas are not crash worthy. The structure is made of steel and is showing signs of rust. The current structure is considered functionally obsolete due to the geometry and safety features of the bridge. The proposed project will replace the existing McElmo Creek Bridge (037012C) with a structure that will accommodate traffic and water flow. The goal is to have the new structure accommodate the hydraulic needs of the river and eliminate scour effects on the abutments. It is anticipated the new structure will be widened to allow both lanes of traffic to safely cross the structure simultaneously. Roadway work will be needed to safely tie the existing roadway into the new structure.

The updated project design and the new construction estimate have been completed. San Juan County, Utah has secured funds from UDOT to replace the bridge. The new project total is \$2,534,804.00 with a required matching share of \$170,997.00. In September 2019, IGA Attachment C was executed and Navajo DOT contributed the \$99,926.00 share, based on original designs and project estimates. IGA Attachment D will allow Navajo DOT to provide the remaining \$71,071.00 of the required \$170,997.00 matching share to San Juan County, Utah.

Attachment C – “Original” Project and Estimated Cost

Location	Description	Quantity	Cost	Navajo DOT Business Unit
NR407	Remove and Replace Existing Structure	1	\$1,476,000.00	
	Federal Aid		\$1,376,075.00	
	ORIGINAL NDOT COST		\$99,926.00	

Attachment D - FINAL Project with Additional Cost

Location	Description	Quantity	Cost	Navajo DOT Business Unit
NR407	Remove and Replace Existing Structure – Additional Cost	1	\$1,049,081.00	
	Federal Aid		\$978,729.00	
	TOTAL NDOT ADDITIONAL COST		\$71,071.00	121004.9028

Payment to the COUNTY:

Per section 7.A. of the IGA the NATION shall provide the COUNTY **\$170,997.00** in upfront/startup funding for the PROJECT, prior to the start of the PROJECT. This funding shall be placed in an account established by the COUNTY and utilized to reimburse the COUNTY for the procurement or utilization of services, materials, supplies, equipment, and labor actually used in the construction of the PROJECT (actual cost).

Upon mutual agreement of both parties, project termini may be altered that fall within the same scope as described in this attachment. **Altered PROJECTS would commence once upfront/startup funding has been received by the COUNTY unless there is sufficient funding remaining from the initial payment to the COUNTY.**

Per section 8 of the IGA there shall be no surplus money on hand because all funds advanced will have been disbursed on the PROJECT expenditures or returned to the NATION.

IN WITNESS WHEREOF, the PARTIES have executed this Attachment "C" to the Intergovernmental Agreement between the Navajo Nation and San Juan County, Utah on the dates affixed by their signatures.

SAN JUAN COUNTY

THE NAVAJO NATION

 Willie Grayeyes, Chairperson
 San Juan County Board of Commissioners
 117 South Main St. #202
 Monticello, Utah 84535-009

 Jonathan Nez, President
 Navajo Nation
 P.O. Box 7440
 Window Rock, AZ 86515

 Date Signed

 Date Signed

APPROVED AS TO FORM

BY _____
Navajo Nation Legal Counsel

_____ Date Signed

BY _____
San Juan County Legal Counsel

_____ Date Signed