



San Juan County Road Department

P.O. Box 188 • 881 East Center St
Monticello, Utah 84535

435-587-3230 • Fax: 435-587-2771

November 19, 2020

Navajo Division of Transportation
Attn: Garret Silversmith
Post Office Box 3150
Window Rock, Arizona 86515

RE: McElmo Creek Bridge Replacement Project

Dear Mr. Silversmith,

In September 2019, San Juan County and The Navajo Nation entered into an Intergovernmental Agreement; Contract No. CO13891. The original cost of the project was \$1,476,000.00 with a \$99,926.00 match from the Nation.

Upon completion of the updated project design the new project total is \$2,534,804.00 with a \$170,997.00 match from the Nation; leaving a \$71,072.00 shortfall for the project.

Regarding section 7.A of the IGA we are asking for the additional funds to be able to proceed with the project. I am including the new Financial Aid Agreement from UDOT for your information. Please inform me on how you would like to proceed as UDOT would like to put this out to bid as we are under restrictions on when we can enter the creek to do the work.

Sincerely,

Todd (TJ) Adair
San Juan County Road Superintendent

Enclosures



**State of Utah
Department of Transportation**

36226

Federal Aid Agreement Supplement for Local Agency Project CFDA No. 20.205	San Juan County - Bruce Adams	Maximum Project Value Authorized \$2,525,801
PIN Number 14779 FINET Number 54798 FMIS Number F012180 DUNS Number 079217348	Project Number F-LC37(10) PIN Description McElmo Creek Bridge - 037012C	Agreement Number (Original Agreement No.) 199023 Mod No. 1
		Date Executed 10/26/2020

The Local Agency(ies) desires to supplement the agreement entered into and executed on 4/1/2019. All provisions in the basic agreement remain in effect except as expressly modified by this supplement. The changes to the agreement are described as follows:

Updated funding for this Federal Aid Agreement Modification #1:

State Wide Transportation Improvement Program STIP 2021 - 2024

Fund	Prior	2021	2022	2023	2024	Total	Fed Aid	State	Other	Pct
STP_BR	\$480,000	\$2,045,801	\$0	\$0	\$0	\$2,525,801	\$2,354,804	\$0	\$170,997	6.77%
Total:	\$480,000	\$2,045,801	\$0	\$0	\$0	\$2,525,801	\$2,354,804	\$0	\$170,997	6.77%

Funding from Base Federal Aid Agreement:

State Wide Transportation Improvement Program STIP 2019 - 2022

Fund*	Prior	2019	2020	2021	2022	Total	Fed Aid	State	Other	Pct
STP_BR	\$0	\$147,600	\$1,328,400	\$0	\$0	\$1,476,000	\$1,376,075	\$0	\$99,925	6.77%
Total:	\$0	\$147,600	\$1,328,400	\$0	\$0	\$1,476,000	\$1,376,075	\$0	\$99,925	6.77%

Upon signing this agreement, the Local Agency(ies) agrees to pay its estimated matching share in phases when requested by UDOT. Phases typically include environmental, design, right-of-way and construction. The local match for this project is represented by the percentages of the Total Project Value shown above. In addition, the Local Agency(ies) agrees to pay 100% of the overruns that exceed \$2,525,801 and any ineligible costs when requested by UDOT.

UDOT will request payment of matching shares and overruns through an email that will be sent to [Bruce Adams at BBADAMS@SANJUANCOUNTY.ORG](mailto:BBADAMS@SANJUANCOUNTY.ORG), Local Agency(ies) Contact. The Local Agency(ies) shall pay within 30 days after each payment request. The Local Agency(ies) shall make the check payable to the Utah Department of Transportation referencing the project number above and mail to UDOT Comptroller's Office, Box 141510, 4501 South 2700 West, Salt Lake City, Utah 84119-5998.

As part of this Federal Aid Agreement modification, the following additional requirements apply to section VI. Federal Aid Project Compliance of the original Federal Aid Agreement:

VI. Federal Aid Project Compliance. Local Agency shall comply with Title 23, USC, 23 CFR, 2 CFR Part 200, UDOT Local Government and State Aid Project Guide, UDOT's Right of Way Operational Manual and the Federal Aid Project Agreement between UDOT and Federal Highway Administration concerning federal aid projects. They will also follow the Local Government Design and Process Manuals.

Compliance with the John S. McCain National Defense Authorization Act: The Local Agency certifies conformance and continued conformance with Public Law 115-232, § 889 and 2 CFR § 200.216.

LOCAL AGENCY

By Mack McDonald

Date 10/22/2020

San Juan County Official

Chief Administrative Officer

Mack McDonald

Utah Department of Transportation

By *Rid Tye*

Region Director

Date 10/23/2020

UDOT Comptroller

By *Kristi Barney*

Comptroller's Office

Date 10/26/2020



**Consultant Services
Federal Aid Agreement Review/Approval Routing Form**

STATE OF UTAH
UTAH DEPARTMENT OF TRANSPORTATION
ENGINEERING SERVICES

TODAY'S DATE 10/7/2020
PM REQUEST DATE 10/7/2020
FEDERAL AID 199023
AGREEMENT NO.
MOD NO. 1

Project No.: F-LC37(10) PIN No.: 14779
PIN Description: McElmo Creek Bridge - 037012C FINET Prog Code No.: 54798

UDOT Project Manager	UDOT Contract Administrator
Rustin Anderson Udot 210 West 800 South Richfield, UT 84701 (435)979-4557 rustinanderson@utah.gov	Michael R. Butler (Acting as UDOT) PO Box 148490 Salt Lake City Utah 84114-8490 (801)815-4367 michaelbutler@utah.gov

Local Government
San Juan County 117 S MAIN Monticello, UT 84535 Bruce Adams, (435) 587-3225 BBADAMS@SANJUANCOUNTY.ORG

Project Value	\$2,525,801
Federal Match	\$2,354,804
Local Government Match	\$170,997
State Match	\$0

This Federal Aid Agreement will follow the current Consultant Services electronic signature process. Please follow the email instructions for processing the Federal Aid Agreement. If legal reviews are required by your entity, the contract will still need to ultimately follow the electronic signature process.



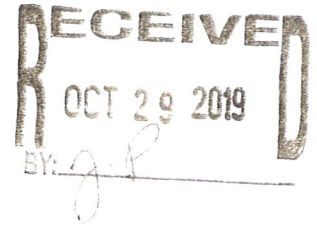
**THE
NAVAJO
NATION**

CONTRACT ADMINISTRATION • P.O. Box 3150 • Window Rock, Arizona • 86515
TELEPHONE: 928.810.8596 • FACSIMILE: 928.871.7778

JONATHAN NEZ
PRESIDENT

MYRON LIZER
VICE PRESIDENT

September 27, 2019



SAN JUAN COUNTY BOARD OF COMMISSIONERS

Kenneth Maryboy, Chairperson
117 South Main St. #202
Monticello, Utah 84535-009

Reference: DOC 013423 – CO13891

Dear Mr. Maryboy:

Attached, please find your executed Intergovernmental Agreement Contract, **CO13891**. This Intergovernmental Agreement Contract is with the Navajo Nation Division of Transportation. This Intergovernmental Agreement Contract is approved in the amount of Ninety-Nine Thousand Nine Hundred Twenty-Six Dollars and Zero Cents (\$99,926.00).

This Intergovernmental Agreement Contract will commence on September 19, 2019 and will terminate on September 11, 2024. Contract, **CO13891** must be referenced on all invoices, documents and correspondences as it relates to this contract.

Should you have any questions, please contact Garret Silversmith, Director, Navajo Nation Department of Transportation at 505.371.8373.

Sincerely,

THE NAVAJO NATION

Valerie Bitsilly, Accountant
Contract Administration
Navajo Nation Office of the Controller

Xc: Garret Silversmith, Director, Navajo Nation Department of Transportation
File / Chrono7

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

AUTHORITY:

Attachment C 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.

TERM:

In accordance to Section 11 – Amendment / Renewal, of the Master IGA between the NATION and the COUNTY, this IGA is hereby renewed for an additional five (5) year term to September 11, 2024.

SCOPE OF WORK:

Navajo Route 407 (formerly County Road 407) – McElmo Bridge (037012C) Replacement – Aneth, Utah.

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 design engineering is ongoing and a final structure has not been selected. 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.

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	
	TOTAL NDOT COST		\$99,926.00	121004.9028

Payment to the COUNTY:

Per section 7.A. of the IGA the NATION shall provide the COUNTY \$99,926.00 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


Kenneth Maryboy, 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

09/17/2019

Date Signed

09-19-19

Date Signed

APPROVED AS TO FORM

BY 
Navajo Nation Legal Counsel

9-19-19
Date Signed

BY 
San Juan County Legal Counsel

9-17-19
Date Signed