

**A RESOLUTION AUTHORIZING A THIRD AMENDMENT OF AN EXISTING
INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF
COMMERCE CITY AND THE COLORADO DEPARTMENT OF TRANSPORTATION
REGARDING FUNDING FOR THE E. 88TH AVENUE WIDENING PROJECT.**

NO. 2025-062

WHEREAS, the City of Commerce City (“City”) entered into an Intergovernmental Agreement (“IGA”) with the Colorado Department of Transportation (“CDOT”) pursuant to authorization from Resolution 2021-017 on March 15, 2021 for the E. 88th Avenue Widening Project;

WHEREAS, the City and CDOT entered into a First Amendment to the IGA on May 19, 2022 to increase the passed-through Federal Contribution from CDOT and decrease the local match contribution;

WHEREAS, City Council approved Resolution 2023-103 on September 11, 2023 authorizing a Second Amendment to the IGA to increase the total project funding amount to \$8,880,000;

WHEREAS, CDOT informed the City that the increased federal pass-through contribution amount included in the First Amendment was done in error, resulting in a \$1,000,000 overstatement of federal funding;

WHEREAS, the City applied for DRCOG TIP Subregional Call #4 – Surface Transportation Block Grant (“STBG”) funding in 2023 and was awarded an additional \$6,000,000 in funding for the 88th Avenue Widening Project;

WHEREAS, the City and CDOT desire to amend the IGA a third time to correct the \$1,000,000 federal funding overstatement and add the additional \$6,000,000 funding award, for a next federal funding increase of \$5,000,000, which increases the total project funding amount to \$14,800,000;

WHEREAS, the City will be awarded a total of \$11,840,000 in Federal funding from CDOT for construction improvements to E. 88th Avenue; and

WHEREAS, the City plans to contribute \$2,960,000 in funding towards the design, permitting, and construction of improvements along E. 88th Avenue.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

SECTION 2. Approval; Execution. The Third Amendment to IGA, substantially in the

form attached hereto, is hereby approved. Upon approval as to form by the City Attorney, the Mayor is hereby authorized to execute, and the City Clerk to attest, the Third Amendment to IGA, substantially in the form attached, or any amendment thereto on behalf of the City.

RESOLVED AND PASSED THIS 7TH DAY OF JULY 2025.

CITY OF COMMERCE CITY, COLORADO

Steve J. Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk