

**FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT BETWEEN
ADAMS COUNTY, COLORADO, AND THE CITY OF COMMERCE CITY
REGARDING THE CITY'S 2012 PAVEMENT REHABILITATION PLAN**

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (the "Amendment") is made and entered into effective this ___ day of _____, 2012, by and between CITY OF COMMERCE CITY, COLORADO, a home rule municipality whose address is 7887 East 60th Avenue, Commerce City, CO 80022 (the "City"), and _the COUNTY OF ADAMS, a body politic and corporate of the State of Colorado whose principal business address is 4330 South Adams County Parkway, 5th Floor – Suite C5000A, Brighton, Colorado 80601-8218 (the "County").

WHEREAS, the parties desire to amend that certain Intergovernmental Agreement between Adams County, Colorado, and the City of Commerce City regarding the City's 2012 Pavement Rehabilitation Plan dated March 19, 2012, relating to the City's plans to overlay East 72nd Avenue from Colorado Blvd to U.S. Highway 85 (the "IGA"), by adding the York Street bridge overlay in accordance with the attached Exhibit B; and

WHEREAS, the Agreement provides that any such amendments must be in writing and by mutual agreement of the Parties.

NOW, THEREFORE, the parties agree as follows:

1. Amendment. Section 2 of the IGA is hereby amended to add the following subsection d:

- d. York Street Bridge Overlay. In addition to the overlay of East 72nd Ave from Colorado Blvd to U.S. Highway 85, the Project shall further include the overlay of the York Street Bridge over the South Platte River as set forth in **Exhibit B**, attached hereto and incorporated herein by this reference. The County's contribution for this aspect of the Project only shall be fifty percent (50%) of an estimated Fifty Thousand dollars (\$50,000.00) or approximately Twenty Five Thousand dollars (\$25,000.00) (the "Bridge Contribution"). Payment by the County to the City of the Bridge Contribution shall be in accordance with the provisions of subsections b. and c. of this Section.

2. Remainder of Agreement in Full Force and Effect. All other provisions of and exhibits to the Agreement shall remain unchanged and in full force and effect.

[The remainder of this page intentionally left blank. Signature page(s) follow(s).]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first above written.

CITY OF COMMERCE CITY

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk

Approved as to form:

Gregory D. Graham, Assistant City Attorney

Recommended for approval:

Gregg Clements, Director
Department of Public Works

**BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO**

By: _____
W.R. "Skip" Fischer, Chair

Attest:

Approved as to Legal Form

Kristen Hood, Executive Assistant

County Attorney

Exhibit B

Intergovernmental Agreement between Adams County, CO and the City of Commerce City, CO

Overlay of York Street Bridge over the South Platte River

Plan: Mill 2 Inches and replace with 2 inches

Item	Description	Estimated Qty	Unit	Unit Price	Total Price
202-1	Surface Milling 2" Depth	1150	SY		
202-2	Removal of Portions of Present Structure (Class 2)	100	SY		
202-3	Removal of Portions of Present Structure (Class 3)	100	SY		
403-1	Hot Bituminous Overlay (PG 76-28)(Grading S)(2" Depth)	130	TON		
515-1	Waterproofing (Membrane)	1150	SY		
601-1	Concrete (Patching)	15	CY		
602-1	Reinforcing Steel (Epoxy Coated)	500	LB		
627-1	Epoxy Pavement Marking	3	GAL		
				Total	\$50,000

Cost Share		%	Total Price
Adams County		50%	\$25,000
Commerce City		50%	\$25,000