



# Commerce City

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## Council Communication File Number: Res 2023-103

**Agenda Date:** 9/11/2023

**Version:** 1

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

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

The purpose of this resolution is to authorize the execution of a Second Amendment to an Existing Intergovernmental Agreement by and Between the City of Commerce City and the Colorado Department of Transportation for the E. 88th Avenue Widening Project.

### **Summary & Background**

The Colorado Department of Transportation (CDOT) and the City entered into an Intergovernmental Agreement (IGA) in 2020 for the improvements to E. 88th Avenue for \$4,000,000 with the City and CDOT each contributing \$2,000,000. The proposed widening project extends from I-76 to Hwy 2 and includes widening a portion of Rosemary from E. 88th Ave. to 630 feet south of the intersection (see Project Map).

This IGA was subsequently amended in 2021 to obligate CDOT to contribute 75% of the funding (\$3,000,000).

The City applied for, and was awarded, through DRCOG Call #2, \$3,840,000. The City agreed to a 20% match for \$960,000.

The second amendment to the IGA combines the funding agreement to total \$8,800,000 with \$1,960,000 from Commerce City and the remainder, \$6,840,000 from CDOT.

**Staff Responsible (Department Head):** Shawn Poe, PE, CFM, Interim Director of Public Works and City Engineer

**Staff Presenting:** Shawn Poe, PE, CFM, Interim Director of Public Works and City Engineer

### **Financial Impact:**

The total City contribution of this second amendment to the Agreement is \$960,000, which increases the total City contribution to \$1,960,000. This funding commitment is budgeted in the CIP.

**Funding Sources:**

Commerce City will utilize 2K funds located in CIP Account 395-15-750-370 for the City's \$1,960,000 contribution to this awarded project. The City recently received a \$6M grant from DRCOG's Call#4, which will take a 3rd Amendment to this IGA at a later date to access the funding.

Amendment 2 of the IGA includes Federal STBG funds in the amount of \$3,000,000, federal TAP funds in the amount \$1,440,000 and State MMO funds in the amount of \$2,400,000 for a total of \$6,840,000 in federal and state funds to be allocated to the funding of the project. Staff recently submitted an INFRA grant application in the amount of \$16.8M to fund the remaining balance of the estimated \$31.6 million project.

**Staff Recommendation:**

Approve a Resolution authorizing the execution of the Second Amendment to an Existing Intergovernmental Agreement by and Between the City of Commerce City and the Colorado Department of Transportation for the E. 88th Avenue Widening Project.

**Suggested Motion:**

Motion to approve a Resolution authorizing the execution of the Second Amendment to an Existing Intergovernmental Agreement by and Between the City of Commerce City and the Colorado Department of Transportation for the E. 88th Avenue Widening Project.