



Procurement and Contract Cover Sheet

For Goods and Services

PROJECT INFORMATION

Description: The purpose of this agreement is to authorize the City to enter into an IGA with Federal Highway Administration (FHWA) for development of a Commerce City Roadway Safety Action Plan.

Department: Public Works Division: Engineering

Contract/Project Manager: Michael Renk Phone: 303-947-9281


SOLICITATION INFORMATION

Solicitation type:	IGA	Date Submitted for Approval:	5/26/2023
Must have City Attorney approval prior to formal solicitation.		Council Approval (+\$250k):	7/10/2023
		Resolution No.:	Res 2023-068
Attach applicable selection form: Procurement Justification; Collaborative Purchasing Documentation; Quotes Documentation.			
Comments: The agreement was approved by City Council on 7/10/23 authorizing the City Manager to sign. Once agreement is signed by City and FHWA staff, a Request For Proposal process will be initiated for development of the Safety Action Plan.			

CONTRACT/PROCUREMENT APPROVAL (Obtain after selection of vendor using required solicitation method.)

Contractor Name:	Type Name	Contract Term	None
Type of contract:	Intergovernmental Agreement	Renewals:	N/A
Selected by 5% local preference:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Termination Date:	None
Dollar Amount (All Years):	\$ 150,350	Renewal Increase:	Enter, if any.
Vendor verified with State (SOS)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Date: Select date	Federal funding? If yes, attach EPLS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Verify funding available:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Date:	Grant Funding? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Funding Source: (include account number, if available) Local Share – General Fund Public Works Engineering Budget			
Contract Signature Required: City Manager (If contract required.)		Name: Jason R. Rogers	

Reviewers:

Vendor/Contractor: _____ Risk Manager: _____ City Attorney:  7/21/2023 | 2:24 PM
(By Contract Admin) Initials/Date N/A Initials/Date Initials/Date


Route contract in the following order for signature (as required):


1. X_Deptment 2. X_City Attorney 3. X_City Manager/City Council 4. X_Other Entity


Return to: Michael Renk

Additional Notes: The City will be signing this IGA prior to the Federal Highway Administration.

Reviewers Continued:

Department Director:  7/21/2023 | 2:09 PM MDT
Initials / Date

Projects & Operational Implementation Officer_CMO:  7/26/2023 | 12:23 PM MDT

Assistant City Manager_CMO:  7/26/2023 | 2:29 PM MDT
Initials / Date

- 1. **Award No.** 693JJ32340094
- 2. **Effective Date**
See No. 17 Below
- 3. **Assistance Listings No.**
20.939
- 4. **Award To**
City of Commerce City, Colorado
8602 Rosemary Street
Commerce City, CO 80022
- 5. **Sponsoring Office**
U.S. Department of Transportation
Federal Highway Administration
Office of Safety
1200 New Jersey Avenue, SE
HSSA-1, Mail Drop E71-117
Washington, DC 20590

Unique Entity Id.: KS2GKPTZN997

TIN No.: 846006924

- 6. **Period of Performance**
Effective Date of Award – 27 months
- 7. **Total Amount**
Federal Share: \$120,280.00
Recipient Share: \$ 30,070.00
Other Federal Funds: \$ 0.00
Other Funds: \$ 0.00
Total: \$150,350.00

- 8. **Type of Agreement**
Grant
- 9. **Authority**
Section 24112 of the Infrastructure Investment and Jobs Act (Pub. L. 117--58, November 15, 2021; also referred to as the “Bipartisan Infrastructure Law” or “BIL”)

- 10. **Procurement Request No.**
HSSP230467PR
- 11. **Federal Funds Obligated**
\$120,280.00

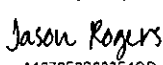
- 12. **Submit Payment Requests To**
See article 20.
- 13. **Payment Office**
See article 20.

- 14. **Accounting and Appropriations Data**
15X0173E50.0000.055SR10500.5592000000.41010.61006600

- 15. **Description of Project**
The project will develop and complete a comprehensive safety Action Plan to prevent roadway fatalities and serious injuries on Commerce City roadways.

RECIPIENT

16. Signature of Person Authorized to Sign

DocuSigned by:

 7/26/2023 | 7:34 PM MDT
 A1672F888374CD
 Signature Date
 Name: Jason R. Rogers
 Title: City Manager

FEDERAL HIGHWAY ADMINISTRATION

17. Signature of Agreement Officer

JASON DAVID
 MOTALA
 Digitally signed by JASON DAVID
 MOTALA
 Date: 2023.07.27 07:54:33 -06'00'
 Signature Date
 Name: Jason Motala
 Title: Agreement Officer

U.S. DEPARTMENT OF TRANSPORTATION

GRANT AGREEMENT UNDER THE FISCAL YEAR 2022 SAFE STREETS AND ROADS FOR ALL GRANT PROGRAM

This agreement is between the [United States Department of Transportation (the “USDOT”)] [Federal Highway Administration (the “FHWA”)] and the City of Commerce City, Colorado (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a Safe Streets and Roads for All (“SS4A”) Grant for the City of Commerce City Safety Action Plan.

The parties therefore agree to the following:

ARTICLE 1 GENERAL TERMS AND CONDITIONS

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Safe Streets and Roads for All Grant Program,” dated February 8, 2023, which is available at <https://www.transportation.gov/grants/ss4a/grant-agreements>. Articles 7–30 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions. Recipient also states that it is required to comply with all applicable Federal laws and regulations including, but not limited to, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR part 200); National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.); and Build America, Buy America Act (BIL, div. G §§ 70901-27).
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, termination of the SS4A Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the SS4A Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2
APPLICATION, PROJECT, AND AWARD**

2.1 Application.

Application Title: SS4A Action Plan Application – Commerce City, CO

Application Date: September 15, 2022

2.2 Award Amount.

SS4A Grant Amount: \$120,280

2.3 Award Dates.

Period of Performance End Date: Sec Section 6 on Page 1

2.4 Budget Period

Budget Period End Date: Sec Section 6 on Page 1

2.5 Action Plan Grant or Implementation Grant Designation.

Designation: Action Plan

2.6 Federal Award Identification Number. The Federal Award Identification Number is listed on page 1, line 1.

**ARTICLE 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project’s Statement of Work.

The project will develop and complete a comprehensive safety Action Plan to prevent roadway fatalities and serious injuries in Commerce City. The Plan development will include the following components: project management, establishment of zero fatalities goal/time line, perform safety analysis, conduct public/stakeholder engagement process, complete equity considerations, identify projects to address safety, develop plan effectiveness metrics, and finalize the plan.

3.2 Project’s Estimated Schedule.

ACTION PLAN SCHEDULE

Milestone	Schedule Date
Planned Draft Action Plan Completion Date:	June 1, 2024
Planned Action Plan Completion Date:	December 1, 2024
Planned Action Plan Adoption Date:	March 1, 2025
Planned SS4A Final Report Date:	September 1, 2025

3.3 Project's Estimated Costs.**(a) Eligible Project Costs**

Eligible Project Costs	
SS4A Grant Amount:	\$120,280
Other Federal Funds:	\$0
State Funds:	\$0
Local Funds:	\$30,070
In-Kind Match:	\$0
Other Funds:	\$0
Total Eligible Project Cost:	\$150,350

(b) Supplemental Estimated Budget

Cost Element	Federal Share	Non-Federal Share	Total Budget Amount
Direct Labor	\$0.00	\$0.00	\$0.00
Fringe Benefits	\$0.00	\$0.00	\$0.00
Travel	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00
Contractual/Consultant	\$120,280.00	\$30,070.00	\$150,350.00
Other	\$0.00	\$0.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00
Total Budget	\$120,280	\$30,070	\$150,350

ARTICLE 4

RECIPIENT INFORMATION

4.1 Recipient's Unique Entity Identifier.

KS2GKPTZN997

4.2 Recipient Contact(s).

Michael McGoldrick, P.E.
CIP Manager
City of Commerce City, Colorado
8602 Rosemary Street, Commerce City, CO 80022
(303) 286-4846
mmcgoldrick@c3gov.com

4.3 Recipient Key Personnel.

Name	Title or Position
Michael Renk	Transportation Engineer

4.4 USDOT Project Contact(s).

Stephen Parker
Safe Streets and Roads for All Program Manager
Federal Highway Administration
Office of Safety
HSSA-1, Mail Stop: E71-117
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202) 366 – 4668
stephen.parker@dot.gov

and

Ashley Cucchiarelli
Agreement Officer (AO)
Federal Highway Administration
Office of Acquisition and Grants Management
12300 W. Dakota Avenue, Suite 390
(720) 963-3589
Ashley.cucchiarelli@dot.gov

and

Division Administrator
Agreement Officer's Representative (AOR)
FHWA Colorado Division Administrator
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228
Colorado.fhwa@dot.gov

and

Ajin Hu
Colorado Division Office Point of Contact
Grants Program Manager
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228
(720) 963-3071
ajin.hu@dot.gov

and

Chris Horn
Senior Area Engineer
FHWA Colorado Division
12300 W. Dakota Avenue, Suite 180
Lakewood, CO 80228
(720) 963-3017
chris.horn@dot.gov

ARTICLE 5 USDOT ADMINISTRATIVE INFORMATION

5.1 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition
and Grants Management

SUBAWARDS AND CONTRACTS APPROVAL

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

Note: Recipients with a procurement system deemed approved and accepted by the Government or by the AO are exempt from the requirements of this clause. See 2 CFR 200.317 through 200.327.

Note: This clause is only applicable to Action Plan Grants.

Unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award above the Simplified Acquisition Threshold. This provision does not apply to the acquisition of supplies, material, equipment, or general support services. Approval of each subaward or contract is contingent upon the Recipient's submittal of a written fair and reasonable price determination, and approval by the AO for each proposed contractor/sub-recipient. Consent to enter into subawards or contracts will be issued through written notification from the AO or a formal amendment to the Agreement.

The following subawards and contracts are currently approved under the Agreement by the AO. This list does not include supplies, material, equipment, or general support services which are exempt from the pre-approval requirements of this clause.

(Fill in at award or by amendment)

5.2 Reimbursement Requests

- (a) The Recipient may request reimbursement of costs incurred in the performance of this agreement if those costs do not exceed the funds available under section 2.2 and are allowable under the applicable cost provisions of 2 C.F.R. Part 200, Subpart E. The Recipient shall not request reimbursement more frequently than monthly.
- (b) The Recipient shall use the DELPHI eInvoicing System to submit requests for reimbursement to the payment office. When requesting reimbursement of costs incurred or credit for cost share incurred, the Recipient shall electronically submit supporting cost detail with the SF 271 (Outlay Report and Request for Reimbursement for Construction Programs) to clearly document all costs incurred.
- (c) The Recipient's supporting cost detail shall include a detailed breakout of all costs incurred, including direct labor, indirect costs, other direct costs, travel, etc., and the Recipient shall identify the Federal share and the Recipient's share of costs. If the Recipient does not provide sufficient detail in a request for reimbursement, the AO may withhold processing that request until the Recipient provides sufficient detail.
- (d) The USDOT shall not reimburse costs unless the Agreement Officer's Representative (the "AOR") reviews and approves the costs to ensure that progress on this agreement is sufficient to substantiate payment.
- (e) The USDOT may waive the requirement that the Recipient use the DELPHI eInvoicing System. The Recipient may obtain waiver request forms on the DELPHI eInvoicing website (<http://www.dot.gov/cfo/delphi-einvoicing-system.html>) or by contacting the

AO. A Recipient who seeks a waiver shall explain why they are unable to use or access the Internet to register and enter payment requests and send a waiver request to

Director of the Office of Financial Management
US Department of Transportation,
Office of Financial Management B-30, Room W93-431
1200 New Jersey Avenue SE
Washington DC 20590-0001

or

DOTElectronicInvoicing@dot.gov.

If the USDOT grants the Recipient a waiver, the Recipient shall submit SF 271s directly to:

DOT/FAA
P.O. Box 268865
Oklahoma City, OK 73125-8865
Attn: Agreement Specialist

- (f) The requirements set forth in these terms and conditions supersede previous financial invoicing requirements for Recipients.

ARTICLE 6 SPECIAL GRANT TERMS

- 6.1** SS4A funds must be expended within five years after the grant agreement is executed and DOT obligates the funds, which is the budget period end date in section 10.3 of the Terms and Conditions and section 2.4 in Article 2.
- 6.2** The Recipient acknowledges that the Action Plan will be made publicly available, and the Recipient agrees that it will publish the final Action Plan on a publicly available website.
- 6.3** The Recipient demonstrates compliance with civil rights obligations and nondiscrimination laws, including Titles VI of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act, and accompanying regulations. Recipients of Federal transportation funding will also be required to comply fully with regulations and guidance for the ADA, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and all other civil rights requirements.
- 6.4** There are no other special grant requirements for this award.

**ATTACHMENT A
PERFORMANCE MEASUREMENT INFORMATION**

Study Area: Commerce City, Colorado City-Wide

Baseline Measurement Date: August 31, 2025

Baseline Report Date: August 31, 2025

Table 1: Performance Measure Table

Measure	Category and Description	Measurement Frequency
Equity	Percent of Funds to Underserved Communities: Funding amount (of total project amount) benefitting underserved communities, as defined by USDOT	End of period of performance
Costs	Project Costs: Quantification of the cost of each eligible project carried out using the grant	End of period of performance
Lessons Learned and Recommendations	Lessons Learned and Recommendations: Description of lessons learned and any recommendations relating to future projects of strategies to prevent death and serious injury on roads and streets.	End of period of performance

ATTACHMENT B CHANGES FROM APPLICATION

INSTRUCTIONS FOR COMPLETING ATTACHMENT B: Describe all material differences between the scope, schedule, and budget described in the application and the scope, schedule, and budget described in Article 3. The purpose of this attachment B is to document the differences clearly and accurately in scope, schedule, and budget to establish the parties' knowledge and acceptance of those differences. See section 10.1.

Scope: Not Applicable

Schedule: Not Applicable

Budget: Not Applicable

The table below provides a summary comparison of the project budget.

Fund Source	Application		Section 3.3	
	\$	%	\$	%
Previously Incurred Costs (Non-Eligible Project Costs)				
Federal Funds				
Non-Federal Funds				
Total Previously Incurred Costs				
Future Eligible Project Costs				
SS4AFunds				
Other Federal Funds				
Non-Federal Funds				
Total Future Eligible Project Costs				
Total Project Costs				

**ATTACHMENT C
RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.

The Recipient states that rows marked with “X” in the following table are accurate:

	A racial equity impact analysis has been completed for the Project. <i>(Identify a report on that analysis or, if no report was produced, describe the analysis and its results in the supporting narrative below.)</i>
	The Recipient or a project partner has adopted an equity and inclusion program/plan or has otherwise instituted equity-focused policies related to project procurement, material sourcing, construction, inspection, hiring, or other activities designed to ensure racial equity in the overall delivery and implementation of the Project. <i>(Identify the relevant programs, plans, or policies in the supporting narrative below.)</i>
	The Project includes physical-barrier-mitigating land bridges, caps, lids, linear parks, and multimodal mobility investments that either redress past barriers to opportunity or that proactively create new connections and opportunities for underserved communities that are underserved by transportation. <i>(Identify the relevant investments in the supporting narrative below.)</i>
	The Project includes new or improved walking, biking, and rolling access for individuals with disabilities, especially access that reverses the disproportional impacts of crashes on people of color and mitigates neighborhood bifurcation. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Project includes new or improved freight access to underserved communities to increase access to goods and job opportunities for those underserved communities. <i>(Identify the new or improved access in the supporting narrative below.)</i>
	The Recipient has taken other actions related to the Project to improve racial equity and reduce barriers to opportunity, as described in the supporting narrative below.
X	The Recipient has not yet taken actions related to the Project to improve racial equity and reduce barriers to opportunity but, before beginning construction of the project, will take relevant actions described in the supporting narrative below
	The Recipient has not taken actions related to the Project to improve racial equity and reduce barriers to opportunity and will not take those actions under this award.

2. Supporting Narrative.

The Action Plan development will include outreach efforts to engage the public and affected stakeholders through public meetings, online engagement, and community surveys. The Action Plan development scope of work will also include a key task involving Equity Considerations that will engage community members in underserved areas and provide them with opportunities to engage in the process.