AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Road Project Agreement; USDA, Forest Service, Gran

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement: Gunnison County and USDA United States Forest Service

Term Begins: 07/11/2017 **Term Ends:** 7/11/2022 **Grant Contract #:** 17-R0-11020407-052

Summary:

This agreement provides for placement of gravel on a portion of Taylor River Road that is in very poor condition and receives a significant amount of traffic in the summer.

Fiscal Impact: FS will pay for materials--County labor and equipment in the road maintenance budget

Submitted by: Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:
No concerns, County portion covered in budget. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 6/27/2017

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok db 6/30/17

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 6/30/2017 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 7/7/2017

( ) Consent Agenda (●) Regular Agenda ( ) Worksession Time Allotted: DCM Report

Agenda Date: 7/11/2017

Revised April 2015

FS Agreement No. 17-RO-11020407-052

Cooperator Agreement No. _____

ROAD PROJECT AGREEMENT
Between
GUNNISON COUNTY
And The
USDA, FOREST SERVICE, GRAND MESA, UNCOMPAHGRE AND GUNNISON NATIONAL FOREST, GUNNISON RANGER DISTRICT

This Project Agreement (agreement) is hereby made and entered into by and between Gunnison County, hereinafter referred to as "County," and the USDA, Forest Service, GRAND MESA, UNCOMPAHGRE AND GUNNISON NATIONAL FOREST, hereinafter referred to as the "U.S. Forest Service," as specified under the authority and provisions of the Cooperative Forest Road Agreement #13-RO-11020400-026, executed between the parties on May 22, 2013.

Project Title: **TAYLOR CANYON NATIONAL FOREST SYSTEM ROAD 742 RECONSTRUCTION AND SURFACING**

I. BACKGROUND:

The parties entered into a Forest Road Cooperative Agreement (Coop Agreement) on May 22, 2013. This Coop Agreement allows for the parties to cooperate in the planning, survey, design, construction, reconstruction, improvement and maintenance of certain forest roads. The Schedule A, which is attached to the Coop Agreement, identifies the maintenance responsibilities of the parties to the specific road systems and may be revised as necessary. The process of revising the Schedule A can be labor intensive and time consuming due to requiring extensive valuations and several levels of formal review. Accordingly, formal revision of the Schedule A does not readily lend itself to rapid response times, adjusting to limited funding opportunities and a high degree of site condition specificity.

The Coop Agreement allows for specific Project Agreements between the parties with the intent of completing work as expeditiously as available funds or work opportunities allow.

The Coop Agreement identifies numerous requirements for the development of Project Agreements. These requirements include but are not limited to:

- The specific project (road) must be included in an approved U.S. Forest Service – Cooperator plan (Schedule A).
- Mutual approval.
- The cost to be borne by each party.

- The amount of cooperative funds as set forth in the Project Agreement shall be the maximum commitment of either party unless changed by a formal modification prior to incurring any expense.
- Work must be completed in accordance with agreed upon standards.

II. PURPOSE:

The purpose of this Project Agreement (agreement) is to document the parties' cooperation in the **Taylor River NFSR 742 reconstruction and surfacing.** Gunnison County will be supplying approximately 9680 tons of ¾ inch aggregate road base for 5.0 miles. The project will start at the junction of NFSR 742 and Cottonwood Pass Road 209 and extend northwest to the Dinner Station Campground entrance. Supply of ¾ inch aggregate road base includes loading, hauling, spreading and compacting 9680 tons in place. Additionally, 25 tons of asphalt will be furnished, spread, and compacted on the approaches of the Texas Creek Bridge on 742. The work is as described in the hereby incorporated financial plan, attached as Exhibit A.

III. THE COOPERATOR SHALL:

A. Perform in accordance with the Financial and Operating Plan, Exhibit A.

B. Bill the U.S. Forest Service for actual costs incurred, not to exceed **$75,000.00**

IV. THE U.S. FOREST SERVICE SHALL:

A. Perform in accordance with the Financial and Operating Plan, Exhibit A.

B. PAYMENT/REIMBURSEMENT. The U.S. Forest Service shall reimburse County for the U.S. Forest Service's share of actual expenses incurred, not to exceed $75,000, as shown in the Financial Plan. The U.S. Forest Service shall make payment upon receipt of County's annual invoice. Each invoice from County must display the total project costs for the billing period.

Each invoice must include, at a minimum:

1) County's name, address, and telephone number
2) U.S. Forest Service agreement number
3) Invoice date
4) Performance dates of the work completed (start and end)
5) Total invoice amount for the billing period

The invoice must be forwarded to:

U.S. Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
101B Sun Ave NE
Albuquerque, NM 87109

FAX: 877-687-4894

Send a copy to:
Garth Gantt
Gunnison Ranger District
216 North Colorado Street
Gunnison, CO 81230

V. IT IS MUTUALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE PARTIES THAT:

A. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Name: Jim Kint Address: 195 Basin Park Drive City, State, Zip: Gunnison, CO 81230 Telephone: 970-641-0044 FAX: 970-641-8120 Email: jkint@gunnisoncounty.org	Name: Marlene Crosby Address: 195 Basin Park Drive City, State, Zip: Gunnison, CO 81230 Telephone: 970-641-0044 FAX: 970-641-8120 Email: mcrosby@gunnisoncounty.org

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Name: Garth Gantt Address: 216 North Colorado Street City, State, Zip: Gunnison, CO 81230 Telephone: 970-642-4432 FAX: 970-642-4425 Email: ggantt@fs.fed.us	Name: Merna Fehlmann Address: 2250 South Main Street City, State, Zip: Delta, CO 81416 Telephone: 970-874-6600 FAX: 970-874-6698 Email: mfehlmann@fs.fed.us

B. In the event of a conflict between this Project Agreement and the Coop Agreement, the latter shall take precedence.

C. FREEDOM OF INFORMATION ACT (FOIA). Public access to award or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 USC 552). Requests for research data are subject to 2 CFR 215.36.

Public access to culturally sensitive data and information of Federally-recognized Tribes may also be explicitly limited by P.L. 110-234, Title VIII Subtitle B §8106 (2008 Farm Bill).

D. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Cooperatives, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.

E. FUNDING EQUIPMENT. Federal funding under this agreement is not available for reimbursement of County's purchase of equipment. Equipment is defined as having a fair market value of $5,000 or more per unit and a useful life of over 1 year.

F. PARTICIPATION IN SIMILAR ACTIVITIES. This agreement in no way restricts the U.S. Forest Service or County from participating in similar activities with other public or private agencies, organizations, and individuals.

G. ENDORSEMENT. Any of County's contributions made under this agreement do not by direct reference or implication convey U.S. Forest Service endorsement of County's products or activities.

H. ALTERNATE DISPUTE RESOLUTION. In the event of any issue of controversy under this agreement, the parties may pursue Alternate Dispute Resolution procedures to voluntarily resolve those issues. These procedures may include, but are not limited to, conciliation, facilitation, mediation, and fact finding.

I. MODIFICATION. Modifications within the scope of this agreement must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 90 days prior to implementation of the requested change. The U.S. Forest Service is not obligated to fund any changes not properly approved in advance.

J. TERMINATION. Either party, in writing, may terminate this agreement in whole, or in part, at any time before the date of expiration. Neither party shall incur any new obligations for the terminated portion of this agreement after the effective date and shall cancel as many obligations as possible. Full credit shall be allowed for each party's expenses and all non-cancelable obligations properly incurred up to the effective date of termination. (Excess funds must be refunded within 60 days after the effective date. OR

Excess funds must be refunded in accordance with the REFUND provision of the agreement).

K. COMMENCEMENT/EXPIRATION DATE. This agreement is executed as of the date of last signature and is effective through five years at which time it will expire. The expiration date is the final date for completion of all work activities under this agreement.

L. AUTHORIZED REPRESENTATIVES. By signature below, the parties certify that the individuals listed in this document as representatives of each party are authorized to act in their respective areas for matters related to this agreement.

This agreement shall be effective as of the date herein written and shall supersede all prior existing agreements, if any, for the same roads.

PHIL CHAMBERLAND, Chairperson — Date
Gunnison County Board of County Commissioners

SCOTT G. ARMENTROUT, Forest Supervisor — Date
U.S. Forest Service, Grand Mesa, Uncompahgre and
Gunnison National Forest

The authority and format of this agreement have been reviewed and approved for signature.

Merna Fehlmann — 5/31/2017
Merna Fehlmann — Date
U.S. Forest Service Grants Management Specialist

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

U.S. Forest Service

OMB 0596-0217
FS-1500-17B

Attachment: Cumberland Pass Road

USFS Agreement No.: 17-RO-11020407-051

Cooperator Agreement No.:

Mod. No.:

Note: This Financial Plan may be used when:
(1) No program income is expected and
(2) The Cooperator is not giving cash to the FS and
(3) There is no other Federal funding

Agreements Financial Plan (Short Form)

Financial Plan Matrix: Note: All columns may not be used. Use depends on source and type of contribution(s).

	FOREST SERVICE CONTRIBUTIONS		COOPERATOR CONTRIBUTIONS		
	(a)	(b)	(c)	(d)	
COST ELEMENTS	Noncash	Cash to Cooperator	Noncash	In-Kind	(e) Total
Direct Costs					
Salaries/Labor	$1,650.00	$0.00	$41,184.00	$0.00	$42,834.00
Travel	$0.00	$0.00	$0.00	$0.00	$0.00
Equipment	$0.00	$0.00	$40,784.00	$0.00	$40,784.00
Supplies/Materials	$0.00	$75,000.00	$0.00	$0.00	$75,000.00
Printing	$0.00	$0.00	$0.00	$0.00	$0.00
Other	$0.00	$0.00	$0.00	$0.00	$0.00
Other					$0.00
Subtotal	$1,650.00	$75,000.00	$81,968.00	$0.00	$158,618.00
Coop Indirect Costs		$0.00	$0.00		$0.00
FS Overhead Costs	$148.50				$148.50
Total	$1,798.50	$75,000.00	$81,968.00	$0.00	
Total Project Value:					$158,766.50

Matching Costs Determination	
Total Forest Service Share = (a+b) ÷ (e) = (f)	(f) 48.37%
Total Cooperator Share (c+d) ÷ (e) = (g)	(g) 51.63%
Total (f+g) = (h)	(h) 100.00%

WORKSHEET FOR

FS Non-Cash Contribution Cost Analysis, Column (a)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix. NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor

Standard Calculation

Job Description		Cost/Day	# of Days		Total
Garth Gantt		$330.00	5.00		$1,650.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Salaries/Labor					**$1,650.00**

Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Travel					**$0.00**

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Equipment					**$0.00**

Supplies/Materials				
Standard Calculation				
Supplies/Materials		# of Items	Cost/Item	Total
				$0.00
				$0.00
				$0.00
				$0.00
Non-Standard Calculation				
Total Supplies/Materials				**$0.00**

Printing					
Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
Total Printing					**$0.00**

Other Expenses					
Standard Calculation					
Item		# of Units	Cost/Unit		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Other					**$0.00**

Subtotal Direct Costs	**$1,650.00**

Forest Service Overhead Costs				
Current Overhead Rate	Subtotal Direct Costs			Total
9.00%	$1,650.00			$148.50
Total FS Overhead Costs				**$148.50**

TOTAL COST	**$1,798.50**

WORKSHEET FOR

FS Cash to the Cooperator Cost Analysis, Column (b)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix. NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor					
Standard Calculation					
Job Description	Units	Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Salaries/Labor					**$0.00**

Travel					
Standard Calculation					
Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Travel					**$0.00**

Equipment					
Standard Calculation					
Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

					$0.00
Non-Standard Calculation					

Total Equipment		**$0.00**

Supplies/Materials

Standard Calculation				
Supplies/Materials		# of tons	Cost/Item	Total
3/4" Crushed Road Base	SRR Funds	3333.33	$7.50	$25,000.00
3/4" Crushed Road Base	CMRD Funds	6350.00	$7.50	$47,625.00
Asphalt	CMRD Funds	25.00	$95.00	$2,375.00
				$0.00
Non-Standard Calculation				

Total Supplies/Materials		**$75,000.00**

Printing

Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
					$0.00
Total Printing					**$0.00**

Other Expenses

Standard Calculation					
Item		# of Units	Cost/Unit		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					

Total Other		**$0.00**

Subtotal Direct Costs	**$75,000.00**

Cooperator Indirect Costs

Current Overhead Rate	Subtotal Direct Costs			Total
	$75,000.00			$0.00
Total Coop. Indirect Costs				**$0.00**

TOTAL COST	**$75,000.00**

WORKSHEET FOR

Cooperator Non-Cash Contribution Cost Analysis, Column (c)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix.
NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor

Standard Calculation

Job Description		Cost/Day	# of Days		Total
Operator	6	$400.00	16.00		$38,400.00
Foreman	1	$174.00	16.00		$2,784.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Salaries/Labor	**$41,184.00**

Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation

Total Travel	**$0.00**

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days		Total
140 H Grader	1.00	$560.00	16.00		$8,960.00
Water Truck	1.00	$350.00	16.00		$5,600.00
Belly Dump	3.00	$441.00	16.00		$21,168.00
950 G Loader	1.00	$240.00	16.00		$3,840.00
Pickup	2.00	$38.00	16.00		$1,216.00
					$0.00
					$0.00

Total Equipment					**$40,784.00**

Supplies/Materials				
Standard Calculation				
Supplies/Materials		# of Items	Cost/Item	Total
				$0.00
				$0.00
				$0.00
				$0.00
Non-Standard Calculation				
Total Supplies/Materials				**$0.00**

Printing					
Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
					$0.00
Total Printing					**$0.00**

Other Expenses					
Standard Calculation					
Item		# of Units	Cost/Unit		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Other					**$0.00**

Subtotal Direct Costs	$81,968.00

Cooperator Indirect Costs				
Current Overhead Rate	Subtotal Direct Costs			Total
	$81,968.00			$0.00
Total Coop. Indirect Costs				**$0.00**

TOTAL COST	**$81,968.00**

WORKSHEET FOR

Cooperator In-Kind Contribution Cost Analysis, Column (d)

Use this worksheet to perform the cost analysis that supports the lump sum figures provided in the matrix. NOTE: This worksheet auto populates the relevant and applicable matrix cells.

Cost element sections may be deleted or lines may be hidden, if not applicable. Line items may be added or deleted as needed. The Standard Calculation sections provide a standardized formula for determing a line item's cost, e.g. cost/day x # of days=total, where the total is calculated automatically. The Non-Standard Calculation sections provide a write-in area for line items that require a calculation formula that is other than the standardized formules, e.g. instead of salaries being calculated by cost/day x # of days, costs may be calculated simply by a contracted value that is not dependent on days worked, such as 1 employee x $1,200/contract= $1,200. Be sure to review your calculations when entering in a Non-Standard Calculation, and provide a brief explanation of units used to make calculation, e.g. '1 month contract,' on a line below the figures.

Salaries/Labor					
Standard Calculation					
Job Description		Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Salaries/Labor					**$0.00**

Travel					
Standard Calculation					
Travel Expense	Employees	Cost/Trip	# of Trips		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Travel					**$0.00**

Equipment					
Standard Calculation					
Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					$0.00
					$0.00
					$0.00
					$0.00
					$0.00

Non-Standard Calculation					
Total Equipment					**$0.00**

Supplies/Materials					
Standard Calculation					
Supplies/Materials		# of Items	Cost/Item		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Supplies/Materials					**$0.00**

Printing					
Standard Calculation					
Paper Material		# of Units	Cost/Unit		Total
					$0.00
Non-Standard Calculation					
Total Printing					**$0.00**

Other Expenses					
Standard Calculation					
Item		# of Units	Cost/Unit		Total
					$0.00
					$0.00
					$0.00
					$0.00
Non-Standard Calculation					
Total Other					**$0.00**

Subtotal Direct Costs	$0.00

TOTAL COST	**$0.00**