



City of Green River  
City Council Meeting  
Agenda Documentation

Preparation Date: June 28, 2016	Department: Public Works
Meeting Date: July 5, 2016	Department Head: Mark Westenskow
	Presenter: Mark Westenskow

**Subject:**

*Amendment to the Cooperative Agreement between WYDOT and the City of Green River for the Urban Systems Streets Project.*

**Background/Alternatives:**

*In 2012, the City of Green River and WYDOT entered a Cooperative Agreement for the reconstruction of portions of West Teton Boulevard, East Teton Boulevard, and Hitching Post Drive. As a condition of the Agreement, the City of Green River would pay 9.51% of the project costs, with the remainder to be funded by Federal funds administered through WYDOT. The proposed Amendment updates the Agreement to formally recognize the current project costs based on the actual low bid received by WYDOT.*

**Attachments:**

*Amendment Number One to the Cooperative Agreement, Exhibit "A"*

**Fiscal Impact:**

*Adequate funds had been budgeted during the 2015-2016 Fiscal Year for Project URSYS to accommodate the current costs.*

**Staff Impact:**

*Minimal*

**Legal Review:**

*Complete 6/28/16*

**Suggested Motion:**

*"I move to authorize the Mayor to sign Amendment Number One to the Cooperative Agreement between the Wyoming Department of Transportation and the City of Green River for the Urban Systems Streets Project."*

**AMENDMENT NUMBER ONE  
TO THE COOPERATIVE AGREEMENT  
BETWEEN THE  
WYOMING DEPARTMENT OF TRANSPORTATION  
AND THE  
CITY OF GREEN RIVER**

Federal Project STPU-GR 0.00 B143009  
Green River Streets  
East & West Teton Blvd. and  
Hitching Post Drive  
Sweetwater County

1. **Parties.** This Amendment is made and entered into by and between the Wyoming Department of Transportation (WYDOT), whose address is 5300 Bishop Boulevard, Cheyenne, Wyoming 82009; and the City of Green River (City), whose address is 50 East Second North, Green River, Wyoming 82935.
2. **Purpose of this Amendment.** This Amendment shall constitute the First Amendment to the Original Agreement between WYDOT and the City which was duly executed on July 2, 2012. The purpose of this Amendment is to amend the Exhibit "A" costs to reflect the low bid submitted by Lewis & Lewis, Inc., at the March 3, 2016 Bid Opening.

The Original Agreement dated July 2, 2012 provided for the reconstruction of the East Teton Blvd. from California Drive to Colorado Drive; West Teton Blvd. from Upland Way to Bridger Drive; and Hitching Post Drive from Upland Way to Iowa Street in the City of Green River for the total Agreement amount of \$3,252,095.

Amendment Number One provides for amending the Exhibit "A" costs to reflect the low bid submitted by Lewis & Lewis, Inc., at the March 3, 2016 Bid Opening, increasing the Agreement amount by \$573,426 for a total project cost of \$3,825,521. Maximum STP Urban Federal funds available through FY17 are \$3,700,616. (See attached revised Exhibit "A")

3. **Term of Amendment.** This Amendment shall commence upon the date the last required signature is affixed hereto and shall remain in full force and effect through the term of the Agreement, unless terminated at an earlier date pursuant to the provisions of the Agreement, or pursuant to federal or state statute or rule or regulation.
4. **Special Provisions.** Same Terms and Conditions. With the exception of items explicitly delineated in this Amendment, all terms and conditions of the Original Agreement between WYDOT and the City, including but not limited to sovereign immunity, shall remain unchanged and in full force and effect.

5. **General Provisions.** Entirety of Agreement. This Amendment, consisting of two pages, and Exhibit "A", consisting of one page; and the Original Agreement consisting of eight pages, Attachment "A", consisting of 16 pages, Attachment 1 and Exhibit "A, consisting of one page each; represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, and agreements, whether written or oral.
  
6. **Signatures.** In witness thereof, the parties to this Amendment through their duly authorized representatives have executed this Amendment, known as Amendment Number One to the Original Agreement between WYDOT and the City, on the days and dates set out below, and certify that they have read, understood, and agreed to the terms and conditions of this Amendment as set forth herein.

The effective date of this Amendment is the date of the signature last affixed to this page.

**Attest:**

**City of Green River, Wyoming:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Pete Rust, Mayor

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Attest:**

**Wyoming Department of Transportation:**

\_\_\_\_\_  
Sandra J. Scott, Secretary  
Transportation Commission of Wyoming

\_\_\_\_\_  
Gregg C. Fredrick, P.E., Chief Engineer

\_\_\_\_\_  
Date

(SEAL)

Approved as to form:

By: \_\_\_\_\_

Michael T. Kahler  
Senior Assistant Attorney General  
State of Wyoming

Date amendment prepared: 3-29-16

**EXHIBIT "A"**

Federal Project STPU-GR-B143009  
Green River Streets (East & West Teton Blvd & Hitching Post Dr)  
Sweetwater County

Revised: March 11, 2016

Costs were assembled by WYDOT using bid tabulations calculated from the apparent low bid submitted by Lewis & Lewis, Inc., on March 3, 2016.

Estimated Construction Costs	\$2,698,853.00	
Preliminary Engineering (Expenditures to date)	485,000.00	
10% Construction Engineering	269,885.00	
State Maintenance Forces (Striping)	884.00	
Right-of-Way Acquisition	<u>80,000.00</u>	
Total Direct Costs	3,534,622.00	[1]
Indirect Cost Allocation (ICAP) (3,534,622) (0.0823)	<u>290,899.00</u>	[2]
Total Project Costs = [1] + [2]	<u>\$3,825,521.00</u>	

Funding Breakdown:

WYDOT's Federal Aid Urban Match: (3,825,521) (0.9049)	\$3,461,714.00	[3]
City's Match: (3,825,521) (0.0951)	<u>363,807.00</u>	[4]
Total Project Costs = [3] + [4]	<u>\$3,825,521.00</u>	

NOTE: All costs shown are rounded to the nearest even dollar.

The above figures are for estimating purposes only and are subject to revision throughout the life of this project.

\*Maximum STP Urban Federal Aid funds through FY17 are \$3,700,616