

RESOLUTION NO. 2013-018

A RESOLUTION APPROVING AN AMENDMENT TO THE 2013 DELEGATION AGREEMENT BETWEEN THE PUEBLO AREA COUNCIL OF GOVERNMENTS (PACOG) AND THE CITY OF PUEBLO FOR TRANSPORTATION PLANNING AND IMPROVEMENT SERVICES, AUTHORIZING THE CHAIR OF THE COUNCIL TO EXECUTE SAME, AND AUTHORIZING AND DIRECTING THE URBAN TRANSPORTATION PLANNING DIVISION TO ADMINISTER THE AMENDED AGREEMENT IN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS.

WHEREAS, PACOG has developed an agreement and contract with the City of Pueblo (CITY) for the performance of the tasks defined in the adopted UPWP and PACOG budget for the year 2013; and

WHEREAS, CITY and PACOG entered into an AGREEMENT FOR TRANSPORTATION PLANNING AND IMPROVEMENT SERVICES FOR 2013 ("Agreement"), effective January 1, 2013 through December 31, 2013, approved by PACOG Resolution No. 2012-022, December 6, 2012 and City Council Ordinance No. 8553 on December 26, 2012 authorizing CITY to undertake such transportation planning and improvement projects; and

WHEREAS, CITY AND PACOG desire to amend the Agreement to allow for transportation services, activities, and project execution required of PACOG to be mutually completed through the Urban Transportation Planning Division (UTPD) of the CITY Department of Planning and Community Development, and Pueblo County (hereinafter referred to as "County").

NOW, THEREFORE, BE IT RESOLVED BY THE PUEBLO AREA COUNCIL OF GOVERNMENTS THAT:

SECTION 1:

The Amendment to the Agreement to provide certain transportation and planning services that provides for County staff to mutually complete tasks included within the FY 2014-2015 Urban Planning Work Program ("FY 2014-2015 UPWP"), a copy of which is attached and incorporated into this Resolution, is hereby approved.

SECTION 2.

The Chair of the PACOG Board is hereby authorized to execute said Amendment to the Agreement.

SECTION 3.

The PACOG Board hereby authorizes and directs the City Urban Transportation Planning Division to administer the amendment to the Agreement in compliance with all applicable federal, state, and local laws, regulations, and official policies.

SECTION 4.

This resolution shall become effective immediately upon passage and approval.

PASSED AND ADOPTED this 26th day of September, 2013 by the PACOG Board.



Chairperson, Pueblo Area Council of Governments

ATTEST:



PACOG Recording Secretary

**AMENDMENT TO AGREEMENT FOR TRANSPORTATION PLANNING
AND IMPROVEMENT SERVICES FOR 2013**

THIS Amendment to Agreement for Transportation Planning and Improvement Services for 2013 effective January 1, 2013 through December 31, 2013, approved by PACOG Resolution No. 2012-022, December 6, 2012 and Pueblo City Council Ordinance No. 8553 on December 26, 2012, by and between the Pueblo Area Council of Governments, hereinafter referred to as "PACOG" and the City of Pueblo, a Municipal Corporation, hereinafter referred to as "CITY".

RECITALS

WHEREAS, PACOG serves as the Metropolitan Planning Organization (MPO) for the Pueblo Urban Area, and the Transportation Planning Region (TPR) for all of Pueblo County; and

WHEREAS, PACOG is eligible to receive funds to perform the work tasks for these activities and has entered into one or more agreements with the State of Colorado and/or the U.S. Department of Transportation for transportation planning and improvement projects whereby funding may be made available to PACOG under provisions of said agreements, and statutes, laws and regulations referenced in said agreements; and

WHEREAS, CITY and PACOG entered into an AGREEMENT FOR TRANSPORTATION PLANNING AND IMPROVEMENT SERVICES FOR 2013 ("AGREEMENT"), effective January 1, 2013 through December 31, 2013, approved by PACOG Resolution No. 2012-022, December 6, 2012 and City Council Ordinance No. 8553 on December 26, 2012 authorizing CITY to undertake such transportation planning and improvement projects; and

WHEREAS, CITY AND PACOG desire to amend contract to allow for transportation services, activities, and project execution required of PACOG under the aforesaid agreements to be mutually completed through the Urban Transportation Planning Division (UTPD) of the CITY Department of Planning and Community Development, and Pueblo County (hereinafter referred to as "COUNTY").

NOW, THEREFORE, in consideration of the foregoing recitals and the terms and conditions set forth herein, the parties hereto do mutually agree as follows:

1. WORK TASKS; RESPONSIBILITIES OF CITY

CITY is authorized to mutually work with the COUNTY to complete work totaling approximately 520 hours, along with the reimbursement of qualifying additional expenses authorized by City, and, in any event, not to exceed the amount of \$25,000.00 during the remaining term of the AGREEMENT for services, activities, and project execution required of PACOG as identified in the Scope of Work included as Appendix A attached hereto and incorporated herein by this reference.

APPENDIX A

SCOPE OF WORK

The COUNTY Transportation Program Director shall assist CITY with the satisfactory performance and completion of work tasks identified in accordance with the regulations and policies of the Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA), encompassed within or reasonably necessary to accomplish the tasks and functions described in the FY 2014-15 Unified Planning Work Program (UPWP) adopted by PACOG Resolution 2013-017 on August 22, 2013 incorporated herein by reference, in full compliance with all provisions of this Agreement.

PROFESSIONAL FEE SCHEDULE

PACOG shall compensate the COUNTY for the Scope of Services, approved by CITY, in the following manner:

1. An hourly fee basis for the completion of work included in the Scope of Services identified above.
2. Reimbursement of qualifying additional expenses authorized for the satisfactory performance and completion, of the planning services and items of work in accordance with the regulations and policies of the Colorado Department of Transportation (CDOT) and the Federal Highway Administration (FHWA), encompassed within or reasonably necessary to accomplish the tasks and functions described in the amended FY 2014-15 UPWP adopted by PACOG Resolution 2013-017 on August 22, 2013.
3. In no event shall the combined hourly fee and qualifying additional reimbursement expenses exceed a total of \$25,000.00.

The following hourly rate reflects the expertise level that is required for the completion of the projects and tasks.

Category	Typical Tasks	Weighted Hourly Rate
County Transportation Program Director	Project Administration, Management, Project Design, Technical Review and Communications	\$40.00