

## SEVENTH AMENDMENT TO AGREEMENT FOR DELEGATION OF ACTIVITIES

This Seventh Amendment to Agreement for Delegation of Activities (“Seventh Amendment”) is made this \_\_\_\_\_ day of \_\_\_\_\_, 2021, between the City of Longmont, Colorado, a Colorado municipal corporation (“City”), and Boulder County (“Delegate”).

In consideration of the mutual promises and covenants set forth herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. That certain Agreement entered into between the City and the Delegate executed March 1, 2016, entitled Agreement for Delegation of Activities, as amended by the First Amendment to Agreement for Delegation of Activities executed March 16, 2017, as amended by the Second Amendment to Agreement for Delegation of Activities executed May 30, 2017, as amended by the Third Amendment to Agreement for Delegation of Activities executed March 4, 2019, as amended by the Fourth Amendment to Agreement for Delegation of Activities executed September 3, 2019, as amended by the Fifth Amendment to Agreement for Delegation of Activities executed September 28, 2020, as amended by the Sixth Amendment to Agreement for Delegation of Activities executed May 11, 2021 (collectively, the “Agreement”), shall be and hereby is modified, altered, and amended in the following respects only:

a. Paragraph 25 is revised to read as follows:

**EFFECTIVE DATES.** This Agreement shall be in force from February 23, 2016 through December 31, 2021.

- b. Appendix A-1 – Work Program: INF-00024, Amended September 28, 2021, attached hereto, replaces Appendix A-1 – Work Program: INF-00024.
- c. Appendix A-2 – Work Program: INF-00025, Amended January 29, 2021, attached hereto, remains effective as is.
- d. Appendix A-3 – Work Program: HAP-00001, Amended January 29, 2021, attached hereto, remains effective as is.
- e. Appendix A-6 – Work Program: INF-00045, Amended January 29, 2021, attached hereto, remains effective as is.
- f. Appendix A-7 – Work Program: INF-00046, Amended September 28, 2021, attached hereto, replaces Appendix A-7 – Work Program: INF-00046.
- g. Appendix A-8 – Work Program: INF-00050, Amended September 28, 2021, attached hereto, replaces Appendix A-8 – Work Program: INF-00050.
- h. Appendix A-9 – Work Program: INF-00060, Amended September 28, 2021, attached hereto, replaces Appendix A-9 – Work Program: INF-00060.
- i. Appendix A-12 – Work Program: INF-00049, Amended September 28, 2021, attached hereto, replaces Appendix A-12 – Work Program: INF-00049.

- j. Appendix A-13 – Work Program: INF-00067, Amended September 28, 2021, attached hereto, replaces Appendix A-13 – Work Program: INF-00067.
  - k. Appendix A-14 – Work Program: INF-00073, Amended September 28, 2021, attached hereto, replaces Appendix A-14 – Work Program: INF-00073.
  - l. Appendix A-15 – Work Program: INF-00074, Amended September 28, 2021, attached hereto, replaces Appendix A-15 – Work Program: INF-00074.
  - m. Appendix B-1 – Infrastructure Program Budget, Amended September 28, 2021, attached hereto, replaces Appendix B-1 – Infrastructure Program Budget.
  - n. Appendix B-2 – Housing Assistance Program Budget, Amended September 28, 2021, attached hereto, replaces Appendix B-2 – Housing Assistance Program Budget.
2. All other provisions of the Agreement shall remain in full force and effect.
3. This Seventh Amendment must be signed and returned to the City of Longmont Housing and Community Investment Office by the Delegate within thirty (30) days of the date of the City’s execution of this Seventh Amendment or this Seventh Amendment may be canceled and voided by the City.

[Remainder of page intentionally left blank.]

**CITY OF LONGMONT:**

[Signature]  
City Manager

10/8/2021  
Date

**ATTEST:**

[Signature]  
City Clerk

10/12/2021  
Date



**APPROVED AS TO FORM:**

[Signature]  
Assistant City Attorney

10/6/21  
Date

**APPROVED AS TO FORM AND SUBSTANCE:**

[Signature]  
CDBG-DR Program Manager

10/6/21  
Date

**BOULDER COUNTY:**

\_\_\_\_\_  
Chair, Board of County Commissioners

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Date

**Return Original Document to:  
Longmont CDBG Office  
350 Kimbark Street  
Longmont, CO 80501**

**APPENDIX A-1**

**WORK PROGRAM: INF-00024, Amended September 28, 2021**

**Delegate:** Boulder County

**Project:** CDBG-DR Buyouts and Acquisitions Program

**Goal or Activity Description:** Boulder County purchased twenty-four (24) flood-impacted properties and those that are in hazardous locations, both inside and outside the floodplain. Properties were purchased at pre-flood value and will be maintained in perpetuity as open space or other limited allowable use.

Scope of work for this project also includes demolition and clearance of any remaining structures, revegetation/restoration of the properties, and payment of relocation assistance benefits to eligible tenant households who resided in the properties at the time of the flood in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

**Area of Service:** To be determined on a property-by-property basis

**National Objective:**

|                                |                                     |                        |            |
|--------------------------------|-------------------------------------|------------------------|------------|
| <b>Low/Mod Income Benefit:</b> | <input checked="" type="checkbox"/> | <b>Percentage Met:</b> | <b>21%</b> |
| <b>Urgent Need:</b>            | <input checked="" type="checkbox"/> |                        |            |

|  |                          |
|--|--------------------------|
| <b>CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:</b> | (a) Acquisition          |
|  | (d) Clearance/Demolition |
|  | (i) Relocation           |
| <b>24 CFR § 570.202:</b>   | N/A                      |

|   |                              |
|---|------------------------------|
| <b>State CDBG-DR Eligible Activity Citation from HCDA § 105(a):</b> | (1) Acquisition              |
|   | (4) Clearance and demolition |
|   | (11) Relocation              |

**Covered Project:** Yes  No   
(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:** Yes  No   
(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016.)

**MBE/WBE Contract Statement Required:**

(Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

Yes  No

**Compliance with Resilience Performance Standards Required:**

Yes  No

**Work Program Activities**

**Completion Date**

|  |  |
|--|--|
| <b>A. Household Assistance Programs</b>                            | N/A  |
| <b>B. Design/Engineering</b>                                       | N/A  |
| <b>C. Environmental Clearance</b>                                  |  |
| a. HUD Broad Review / Tier 1                                       | October 23, 2015   |
| b. HUD Site Specific / Tier 2                                      | April 25, 2017   |
| <b>D. Income Survey</b>  | N/A  |
| <b>E. Procurement &amp; Contracting</b>                            | June 30, 2017  |
| <b>F. Acquisition(s)</b>   | May 25, 2017   |
| <b>G. Relocation(s)</b>  | November 30, 2021  |
| <b>H. Clearance &amp; Demolition<br/>(including re-vegetation)</b> | N/A  |
| <b>I. Debris Removal</b>   | N/A  |
| <b>J. Construction</b>   | N/A  |
| <b>K. FEMA Project Closeout</b>                                    | N/A  |
| <b>L. Project Delivery</b>   | November 30, 2021 (Boulder County staff project delivery is complete as of 3/31/2019, Longmont staff completed 7/10/2020, remainder for HC Peck) |
| <b>M. CDBG-DR Grant Closeout</b>                                   | December 31, 2021  |
| <b>N. Pre-Agreement Tasks</b>                                      |  |
| a. Design/Engineering  | <input type="checkbox"/>   |
| b. Environmental Review/Assessment                                 | <input checked="" type="checkbox"/>  |
| c. Permits/Surveys   | <input checked="" type="checkbox"/>  |
| d. Real Property/Easement/Acquisition/Lease                        | <input checked="" type="checkbox"/>  |
| e. Legal/Bonding/Insurance   | <input type="checkbox"/>   |

- f. Construction Costs
- g. Construction Management
- h. Project Delivery
- i. Other (Please Specify)

**APPENDIX A-2**

**WORK PROGRAM: INF-00025, Amended January 29, 2021**

**Delegate:** Boulder County

**Project:** FEMA HMGP Buyouts Global Match

**Goal or Activity Description:** Boulder County will use CDBG-DR funds as a global match for HMGP buyouts for 19 properties. FEMA HMGP funds were used to purchase flood and substantially damaged properties in the floodplain. Properties were purchased at pre-flood value and will be maintained in perpetuity as open space or other limited allowable use.

Scope of work for this project also includes demolition and clearance of any remaining structures, revegetation/restoration of the properties, and payment of relocation assistance benefits to eligible tenant households who resided in the properties at the time of the flood in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

**Area of Service:** To be determined on a property-by-property basis

**National Objective:**

**Low/Mod Income Benefit:**  **Percentage Met:** 62%

**Urgent Need:**

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:** (a) Acquisition  
(d) Clearance/Demolition  
(g) Payment of Non-Federal Share  
(i) Relocation  
**24 CFR § 570.202:** N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (1) Acquisition  
(4) Clearance and demolition  
(9) Payment of non-Federal share  
(11) Relocation

**Covered Project:** Yes  No

(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:**  
 (Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

Yes  No

**MBE/WBE Contract Statement Required:**  
 (Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

Yes  No

**Compliance with Resilience Performance Standards Required:**

Yes  No

**Work Program Activities**

**Completion Date**

- |  |   |
|--|---|
| <b>A. Household Assistance Programs</b>                            | N/A   |
| <b>B. Design/Engineering</b>                                       | N/A   |
| <b>C. Environmental Clearance</b>                                  | <b>August 28, 2015, January 6, 2016, and October 24, 2016<br/>(Adopted FEMA RECs)</b>   |
| <b>D. Income Survey</b>  | N/A   |
| <b>E. Procurement &amp; Contracting</b>                            | <b>March 30, 2017</b>   |
| <b>F. Acquisition(s)</b>   | <b>October 24, 2016</b>   |
| <b>G. Relocation(s)</b>  | <b>December 31, 2019</b>  |
| <b>H. Clearance &amp; Demolition<br/>(including re-vegetation)</b> | N/A   |
| <b>I. Debris Removal</b>   | N/A   |
| <b>J. Construction</b>   | N/A   |
| <b>K. FEMA Project Closeout</b>                                    | <b>January 7, 2020</b>  |
| <b>L. Project Delivery</b>   | <b>December 31, 2019 (Boulder County staff project delivery is completed as of 3/31/2019, HC Peck and Longmont staff complete 12/31/2019)</b> |
| <b>M. CDBG-DR Grant Closeout</b>                                   | <b>June 16, 2020 (complete)</b>   |
| <b>N. Pre-Agreement Tasks</b>                                      |   |
| a. Architectural/Engineering                                       | <input type="checkbox"/>  |



- b. Environmental Review/Assessment
- c. Permits/Surveys
- d. Real Property/Easement/Acquisition/Lease
- e. Legal/Bonding/Insurance
- f. Construction Costs
- g. Construction Management
- h. Project Delivery
- i. Other (Please Specify)

**APPENDIX A-3**

**WORK PROGRAM: HAP-00001, Amended September 28, 2021**

**Delegate:** Boulder County

**Project:** Housing Assistance Programs

**Goal or Activity Description:** Boulder County will provide housing assistance in the forms of Temporary Rental Assistance, Relocation Assistance, Housing Rehabilitation, Clearance and Demolition, and Home Access. Home Access provides bridge and road repair to private residential properties.

| <b>Activity:</b>            | <b>No. of Beneficiaries</b> |
|-----------------------------|-----------------------------|
| Temporary Rental Assistance | <u>13</u>                   |
| Housing Rehabilitation      | <u>13</u>                   |
| Clearance and Demolition    | <u>12</u>                   |
| Home Access                 | <u>40</u>                   |

**Area of Service:** To be determined on a property-by-property basis.

**National Objective:**

| <b>Activity:</b>                       | <b>LMI Benefit</b>       | <b>Urgent Need</b>          |
|--|--------------------------|-----------------------------|
| Temporary Rental Assistance (actual)   | <u>100%</u>              | <u>                    </u> |
| Housing Rehabilitation (actual)        | <u>97%</u>               | <u>                    </u> |
| Clearance and Demolition (actual)      | <u>77%</u>               | <u>                    </u> |
| Home Access (projected)                | <u>61%</u>               | <u>                    </u> |
| <b>Overall Percentage (Projected):</b> | <u>67%</u> (51% minimum) |                             |

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:** (d) Clearance/Demolition  
(k) Housing Services  
(n) Homeownership Assistance

**24 CFR § 570.202:** (a) & (b) Rehabilitation

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (4) Clearance, demolition, reconstruction, and rehabilitation

**Covered Project:** Yes  No   
(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:**

(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

Yes  No

**MBE/WBE Contract Statement Required:**

(Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

Yes  No

**Compliance with Resilience Performance Standards Required:**

Yes  No

**Work Program Activities**

**Completion Date**

|  |                      |
|--|----------------------|
| <b>A. Household Assistance Programs</b>                            |                      |
| <b>a. Temporary Rental Assistance</b>                              | <b>12/31/2017</b>    |
| <b>b. Housing Rehabilitation</b>                                   | <b>12/31/2018</b>    |
| <b>c. Clearance and Demolition</b>                                 | <b>07/31/2018</b>    |
| <b>d. Home Access</b>  | <b>7/31/2021</b>     |
| <b>B. Design/Engineering</b>                                       | <b>N/A</b>           |
| <b>C. Environmental Clearance</b>                                  |                      |
| <b>a. Temporary Rental Assistance</b>                              | <b>March 7, 2016</b> |
| <b>b. Housing Rehabilitation</b>                                   | <b>March 7, 2016</b> |
| <b>c. Clearance and Demolition</b>                                 | <b>March 7, 2016</b> |
| <b>d. Home Access</b>  | <b>March 7, 2016</b> |
| <b>D. Income Survey</b>  | <b>N/A</b>           |
| <b>E. Procurement &amp; Contracting</b>                            | <b>N/A</b>           |
| <b>F. Acquisition(s)</b>   | <b>N/A</b>           |
| <b>G. Relocation(s)</b>  | <b>N/A</b>           |
| <b>H. Clearance &amp; Demolition<br/>(including re-vegetation)</b> | <b>See above</b>     |
| <b>I. Debris Removal</b>   | <b>N/A</b>           |
| <b>J. Construction</b>   | <b>N/A</b>           |
| <b>K. FEMA Project Closeout</b>                                    | <b>N/A</b>           |
| <b>L. Project Delivery</b>   | <b>July 31, 2021</b> |

**M. CDBG-DR Grant Closeout**

**September 1, 2021**

**N. Pre-Agreement Tasks**

- a. Design/Engineering
- b. Environmental Review/Assessment
- c. Permits/Surveys
- d. Real Property/Easement/Acquisition/Lease
- e. Legal/Bonding/Insurance
- f. Construction Costs
- g. Construction Management
- h. Project Delivery
- i. Other (Please Specify)

**APPENDIX A-6**

**WORK PROGRAM: INF-00045, Amended January 29, 2021**

**Delegate:** Boulder County

**Project:** Lefthand Canyon Drive: Flood Repairs of Glendale Gulch

**Goal or Activity Description:** Boulder County will undertake repairs to the crossing of Lefthand Canyon Drive at Left Hand Creek and the Glendale Townsite that serves as the primary access route for the LMI population in Ward. This project includes extension of the culvert, realignment of the curve of the road across the culvert, and the addition of pavement to the FHWA-installed pavement. This project will bring the road up to Boulder County design standards, build upon the work completed by FHWA in 2017, greatly increase roadway safety, and ensure resiliency of the roadway during future flooding.

The project area comprises approximately 600 linear feet of Lefthand Canyon Drive at Glendale Gulch at mile marker 7.3, from north of Glendale Gulch Road to just east of the Lefthand Fire Protection District Glendale Station. Repairs include structural modifications to the box culvert installed under the 2017 FHWA project, headwalls, and wingwalls along with scour protection. The concrete box culvert will be extended 16 feet on the upstream end for the realignment of Lefthand Canyon Drive. The project shifts the centerline of Lefthand Canyon Drive away from several buildings directly adjacent to the road along the inside curve and includes storm drainage improvements to direct roadside flows safely across the adjacent property. Additional roadway improvements include repairs to the existing pavement, re-compaction of existing roadway subgrade, embankment stabilization, guardrail relocation, and super-elevation of Glendale Gulch curve for a 25 mile per hour design speed. All work will be accommodated within the existing right of way.

**Area of Service:** Census Designated Place Ward, CO.

**National Objective:**

**Low/Mod Income Benefit:**       **Percentage Met:**      **69.23%**  
**Urgent Need:**                                     

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:**      (c) Public Facilities  
**24 CFR § 570.202:**    N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):**      (2) Construction of public facilities

**Covered Project:**

Yes  No

(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:** Yes  No   
(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

**MBE/WBE Contract Statement Required:** Yes  No   
(Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

**Compliance with Resilience Performance Standards Required:** Yes  No

| <u>Work Program Activities</u>                         | <u>Completion Date</u>              |
|--|-------------------------------------|
| A. Household Assistance Programs                       | N/A                                 |
| B. Design/Engineering                                  | N/A                                 |
| C. Environmental Clearance                             | October 10, 2018<br>(HUD CatEx)     |
| D. Income Survey                                       | N/A                                 |
| E. Procurement & Contracting                           | October 31, 2018                    |
| F. Acquisition(s)                                      | N/A                                 |
| G. Relocation(s)                                       | N/A                                 |
| H. Clearance & Demolition<br>(including re-vegetation) | N/A                                 |
| I. Debris Removal                                      | N/A                                 |
| J. Construction  | July 31, 2019                       |
| K. FEMA Project Closeout                               | N/A                                 |
| L. Project Delivery                                    | September 16, 2019                  |
| M. CDBG-DR Grant Closeout                              | December 14, 2020 (complete)        |
| N. Pre-Agreement Tasks                                 |                                     |
| a. Design/Engineering                                  | <input type="checkbox"/>            |
| b. Environmental Review/Assessment                     | <input checked="" type="checkbox"/> |

- c. Permits/Surveys
- d. Real Property/Easement/Acquisition/Lease
- e. Legal/Bonding/Insurance
- f. Construction Costs
- g. Construction Management
- h. Project Delivery
- i. Other (Please Specify)

**APPENDIX A-7**

**WORK PROGRAM: INF-00046, Amended September 28, 2021**

**Delegate:** Boulder County

**Project:** Town of Ward Slope Stabilization and Road Repair

**Goal or Activity Description:** Boulder County will undertake repairs to flood-damaged roadways in the Town of Ward. This project will repair road damage, pavement damage, and subsidence on Utica Street and Humboldt Street/Old Depot Road, and replace undersized culverts under Utica Street and Columbia Street. Boulder County is leading this project since Utica Street is an extension of Boulder County's Lefthand Canyon Drive and in accordance with an existing IGA between the Delegate and the Town of Ward.

Scope of work for this project includes the reconstruction of 2,600 linear feet of Utica Street, including the construction of a 15-foot high gabion-basket wall below the road to support the slope and prevent further failure from storm runoff, installation of a new cross-culvert at the wall location to allow roadside runoff to pass through, thereby protecting the wall structure, and repair of damaged pavement. This project also includes repairs to Humboldt Street/Old Depot Road between the north and south intersections with Highway 72, achieved via mill-and-overlay work and crown improvements to aid in storm runoff. Further work includes the replacement of a metal culvert carrying Indiana Gulch under Columbia Street with a concrete culvert, installation of 60 feet of guardrail, and replacement of road and pedestrian signage.

**Area of Service:** Census Designated Place Ward, CO.

**National Objective:**

**Low/Mod Income Benefit:**  **Percentage Met:** 69.23%  
**Urgent Need:**

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:** (c) Public Facilities  
**24 CFR § 570.202:** N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (2) Construction of public facilities

**Covered Project:** Yes  No   
(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:** Yes  No



(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

**MBE/WBE Contract Statement Required:**

(Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

Yes  No

**Compliance with Resilience Performance Standards Required:**

Yes  No

**Work Program Activities**

**Completion Date**

|  |                                     |
|--|-------------------------------------|
| <b>A. Household Assistance Programs</b>                            | N/A                                 |
| <b>B. Design/Engineering</b>                                       | N/A                                 |
| <b>C. Environmental Clearance</b>                                  | <b>January 3, 2019<br/>(HUD EA)</b> |
| <b>D. Income Survey</b>  | N/A                                 |
| <b>E. Procurement &amp; Contracting</b>                            | <b>March 26, 2019</b>               |
| <b>F. Acquisition(s)</b>   | N/A                                 |
| <b>G. Relocation(s)</b>  | N/A                                 |
| <b>H. Clearance &amp; Demolition<br/>(including re-vegetation)</b> | N/A                                 |
| <b>I. Debris Removal</b>   | N/A                                 |
| <b>J. Construction</b>   | <b>June 30, 2020</b>                |
| <b>K. FEMA Project Closeout</b>                                    | N/A                                 |
| <b>L. Project Delivery</b>   | <b>December 31, 2020</b>            |
| <b>M. CDBG-DR Closeout</b>   | <b>August 18, 2021</b>              |
| <b>N. Pre-Agreement Tasks</b>                                      |                                     |
| a. Design/Engineering  | <input type="checkbox"/>            |
| b. Environmental Review/Assessment                                 | <input checked="" type="checkbox"/> |
| c. Permits/Surveys   | <input checked="" type="checkbox"/> |
| d. Real Property/Easement/Acquisition/Lease                        | <input type="checkbox"/>            |
| e. Legal/Bonding/Insurance   | <input checked="" type="checkbox"/> |
| f. Construction Costs  | <input checked="" type="checkbox"/> |
| g. Construction Management   | <input checked="" type="checkbox"/> |
| h. Project Delivery  | <input checked="" type="checkbox"/> |

i. Other (Please Specify)



**APPENDIX A-8**

**WORK PROGRAM: INF-00050, Amended September 28, 2021**

**Delegate:** Boulder County

**Project:** St. Vrain Creek Reach 3 Flood Repair & Stream Restoration – Phase 2

**Goal or Activity Description:** Boulder County will complete critical stream repairs and appurtenant infrastructure to improve resiliency on the St. Vrain Creek between Cemex and 63<sup>rd</sup> Street. The project includes restoration of severely damaged sections of the St. Vrain Creek within a four mile section of the creek known as Reach 3 in the *St. Vrain Creek Watershed Master Plan*, and re-design of a concrete stream bifurcation structure and associated channel work, to be done under a Memorandum of Understanding Agreement (“MOU”) between the Delegate and Longmont Supply Ditch Company to ensure the design results in mutually-acceptable improvements.

Scope of work for this project includes:

- Engineering design of Reach 3 for the purposes of infrastructure protection, optimized operation and maintenance lifecycle costs, and habitat improvement;
- Establishment of a MOU with Longmont Supply Ditch Company and reimbursement for improvements and/or fees required by the Ditch Company;
- Modifications and enhancement of the Longmont ditch channel and the St. Vrain main stem channel associated with the Longmont Supply Ditch Company diversion structure, in order to minimize the likelihood of catastrophic failure during future flooding events, reduce day-to-day direct creek pressure on the headgate, and provide ecological enhancement through the incorporation of native fish passage; and
- Stream restoration for adjacent project-area stations (Station 109+00 to 138+00), Boulder County property encompassing the project-area breach (Breach 2), and the Longmont Supply Ditch Company diversion.

**Area of Service:** Census Tract 0136.01, Block Group 1

**National Objective:**

**Low/Mod Income Benefit:**  **Percentage Met:** N/A  
**Urgent Need:**

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:** (c) Public Facilities  
**24 CFR § 570.202:** N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (2) Construction of public facilities

**Covered Project:** Yes  No

(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:** Yes  No   
(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

**MBE/WBE Contract Statement Required:** Yes  No   
(Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

**Compliance with Resilience Performance Standards Required:** Yes  No

| <u>Work Program Activities</u>                         | <u>Completion Date</u>              |
|--|-------------------------------------|
| A. Household Assistance Programs                       | N/A                                 |
| B. Design/Engineering                                  | April 30, 2020                      |
| C. Environmental Clearance                             | January 3, 2020<br>(HUD EA)         |
| D. Income Survey                                       | N/A                                 |
| E. Procurement & Contracting                           | July 21, 2020                       |
| F. Acquisition(s)                                      | N/A                                 |
| G. Relocation(s)                                       | N/A                                 |
| H. Clearance & Demolition<br>(including re-vegetation) | N/A                                 |
| I. Debris Removal                                      | N/A                                 |
| J. Construction  | May 17, 2021                        |
| K. FEMA Project Closeout                               | N/A                                 |
| L. Project Delivery                                    | April 30, 2021                      |
| M. CDBG-DR Grant Closeout                              | October 31, 2021                    |
| N. Pre-Agreement Tasks                                 |                                     |
| a. Design/Engineering                                  | <input checked="" type="checkbox"/> |
| b. Environmental Review/Assessment                     | <input checked="" type="checkbox"/> |
| c. Permits/Surveys                                     | <input checked="" type="checkbox"/> |

- d. Real Property/Easement/Acquisition/Lease
- e. Legal/Bonding/Insurance
- f. Construction Costs
- g. Construction Management
- h. Project Delivery
- i. Other (Please Specify)

**APPENDIX A-9**

**WORK PROGRAM: INF-00060, Amended September 28, 2021**

**Delegate:** Boulder County

**Project:** West Lake and A-Frame Pond Repairs

**Goal or Activity Description:** This project will complete rehabilitation of the West Lake and A-Frame Reservoirs, captured under FEMA PA PW 1196, and includes restoring breached embankments, reconstructing ditch crossings, road repairs and improvements to 61<sup>st</sup> Street across the A-Frame Reservoir embankment, and installation of infrastructure that will safely pass 100-year flood flows through the reservoirs to St. Vrain Creek.

CDBG-DR funds will pay for Boulder County’s local share (12.5% of total construction, engineering, and wildlife consulting costs) under PW 1196.

Scope of work for this project includes repairs already completed and permanent repairs to-be-completed.

- Completed repairs include:
  - Repairs to the access road on the north side of A-Frame Pond.
- Remaining repairs include:
  - Restoring two breached embankments eroded during the flood;
  - Installation of outlet works to control water levels and installation of emergency spillways lined with soil riprap and/or geotextile to safely pass 100-year flood flow through the reservoirs to St. Vrain Creek (including flows from Lake 4);
  - Reconstruction of Foothills Ditch and Clough & True Ditch crossings over the West Lake embankment with siphons including reimbursement for ditch company improvements and/or fees; and
  - 61<sup>st</sup> Street repairs including:
    - Construction of a defined flow path across the surface of the restored upland area that would direct high flows to St. Vrain Creek and act as a de-facto emergency spillway;
    - Dipping the road profile slightly over 500 feet as part of the spillway function; and
    - Turf reinforcement material (geotextile) installation on the eastern edge of the road to prevent erosion.

**Area of Service:** Census Tract 0136.01, Block Group 1

**National Objective:**

**Low/Mod Income Benefit:**       **Percentage Met:**      N/A  
**Urgent Need:**                                     

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:**      (c) Public Facilities

(g) Payment of Non-Federal Share  
**24 CFR § 570.202:** N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (2) Construction of public facilities  
 (9) Payment of non-Federal share

**Covered Project:** Yes  No   
 (Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:** Yes  No   
 (Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

**MBE/WBE Contract Statement Required:** Yes  No   
 (Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

**Compliance with Resilience Performance Standards Required:** Yes  No

| <u>Work Program Activities</u>                         | <u>Completion Date</u>               |
|--|--------------------------------------|
| A. Household Assistance Programs                       | N/A                                  |
| B. Design/Engineering                                  | February 28, 2018                    |
| C. Environmental Clearance                             | August 1, 2019<br>(Adopted FEMA REC) |
| D. Income Survey                                       | N/A                                  |
| E. Procurement & Contracting                           | August 30, 2019                      |
| F. Acquisition(s)                                      | N/A                                  |
| G. Relocation(s)                                       | N/A                                  |
| H. Clearance & Demolition<br>(including re-vegetation) | N/A                                  |
| I. Debris Removal                                      | N/A                                  |

- J. Construction** **October 15, 2020**
- K. FEMA Project Closeout** **March 31, 2022**
  - a. Submit closeout package by** **September 30, 2021**
- L. Project Delivery** **May 14, 2021**
- M. CDBG-DR Grant Closeout** **November 30, 2021**
- N. Pre-Agreement Tasks**
  - a. Design/Engineering
  - b. Environmental Review/Assessment
  - c. Permits/Surveys
  - d. Real Property/Easement/Acquisition/Lease
  - e. Legal/Bonding/Insurance
  - f. Construction Costs
  - g. Construction Management
  - h. Project Delivery
  - i. Other (Please Specify)



**APPENDIX A-12**

**WORK PROGRAM: INF-00049, Amended September 28, 2021**

**Delegate:** Boulder County

**Project:** Big Elk Meadows Sunset Lake Dam Reconstruction

**Goal or Activity Description:** This project will reconstruct the Sunset Lake Dam, including the outlet works system. Sunset Lake is the upstream-most impoundment of a system of five lakes owned by the Big Elk Meadows Association (BEMA), and is the only one of the lakes within the limits of Boulder County. Floodwaters overtopped Sunset Dam and resulted in an approximately 200-foot long, 17-foot deep, and 85-foot wide breach of the embankment. The breach resulted in approximately 5 feet of vertical streambed scour at the dam centerline, which exposed the foundation. All riprap along the breach, as well as the outlet works, were washed downstream. A temporary crossing with a culvert to convey stream flows was installed after the flood. The dam will be reconstructed in the same location and restore the same water storage capacity to Sunset Lake as the flood-damaged structure (8.6 acre-feet), with upgrades as necessary to meet current state design specifications.

Scope of work for this project includes reconstruction of a new embankment dam with engineered fill approximately 380 feet long with a height of 17.5 feet. The existing remaining embankment dam material would be excavated prior to dam reconstruction. The outlet works will be reconstructed in a similar location as the pre-flood structure. The upstream slope of the dam will be protected with 2 feet of riprap and the downstream slope will be grass-lined. A new primary spillway would be constructed consisting of a drop inlet with a 2-foot diameter discharge pipe and weir invert. The existing 13.1-foot wide concrete spillway will be repurposed for use as an emergency spillway as part of value engineering efforts that BEMA undertook to reduce the cost of the project. CDBG-DR funds will contribute toward the costs of construction.

Boulder County will sub-award (as defined at 2 CFR § 200.92) this project to BEMA, a non-profit organization. As such, Boulder County must ensure that BEMA meets or exceeds all applicable requirements of 2 CFR § 200, HUD CDBG-DR regulations and guidance, State CDBG-DR regulations and guidance, and the policies, procedures, and guidance issued by the Boulder County Collaborative. In accordance with the Release of Funds issued by DOLA on July 22, 2019, Boulder County will also ensure that BEMA implements all conservation measures included in the U.S. Fish and Wildlife Service Biological Opinion dated October 10, 2018 and the FEMA Record of Environmental Consideration dated November 5, 2015.

**Area of Service:** Census Tract 0136.02, Block Groups 1 and 2

**National Objective:**

|                                |                                     |                        |     |
|--------------------------------|-------------------------------------|------------------------|-----|
| <b>Low/Mod Income Benefit:</b> | <input type="checkbox"/>            | <b>Percentage Met:</b> | N/A |
| <b>Urgent Need:</b>            | <input checked="" type="checkbox"/> |                        |     |

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:** (c) Public Facilities – Privately Owned Utilities  
**24 CFR § 570.202:** N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (2) Construction of public facilities

**Covered Project:** Yes  No  (project is fully within Boulder County, although beneficiaries are in two Counties.)  
 (Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds, or spans two Counties.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:** Yes  No   
 (Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

**MBE/WBE Contract Statement Required:** Yes  No   
 (Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

**Compliance with Resilience Performance Standards Required:** Yes  No

| <u>Work Program Activities</u>                                     | <u>Completion Date</u>  |
|--|-------------------------|
| <b>A. Household Assistance Programs</b>                            | N/A                     |
| <b>B. Design/Engineering</b>                                       | <b>August 31, 2019</b>  |
| <b>C. Environmental Clearance<br/>(Adopted FEMA REC)</b>           | <b>July 22, 2019</b>    |
| <b>D. Income Survey</b>  | N/A                     |
| <b>E. Procurement &amp; Contracting</b>                            | <b>October 18, 2019</b> |
| <b>F. Acquisition(s)</b>   | N/A                     |
| <b>G. Relocation(s)</b>  | N/A                     |
| <b>H. Clearance &amp; Demolition<br/>(including re-vegetation)</b> | N/A                     |
| <b>I. Debris Removal</b>   | N/A                     |
| <b>J. Construction</b>   | <b>August 31, 2020</b>  |

- |   |                                     |
|---|-------------------------------------|
| <b>K. FEMA Project Closeout</b>             | <b>N/A</b>                          |
| <b>L. Project Delivery</b>                  | <b>November 20, 2020</b>            |
| <b>M. CDBG-DR Grant Closeout</b>            | <b>December 31, 2021</b>            |
| <b>N. Pre-Agreement Tasks</b>               |                                     |
| a. Design/Engineering                       | <input type="checkbox"/>            |
| b. Environmental Review/Assessment          | <input type="checkbox"/>            |
| c. Permits/Surveys                          | <input type="checkbox"/>            |
| d. Real Property/Easement/Acquisition/Lease | <input type="checkbox"/>            |
| e. Legal/Bonding/Insurance                  | <input type="checkbox"/>            |
| f. Construction Costs                       | <input type="checkbox"/>            |
| g. Construction Management                  | <input type="checkbox"/>            |
| h. Project Delivery                         | <input checked="" type="checkbox"/> |
| i. Other (Please Specify)                   |                                     |

## APPENDIX A-13

### WORK PROGRAM: INF-00067, Amended September 28, 2021

**Delegate:** Boulder County

**Project:** Lake No. 4 Reservoir Repairs

**Goal or Activity Description:** Lake No. 4 is a lined, off-channel water storage reservoir with a decreed capacity of 600 acre-feet. The reservoir is owned jointly by the St. Vrain and Left Hand Water Conservancy District (District) and Boulder County with the Parks and Open Space Department (BCPOS) managing the county's interests. The reservoir is located just south of St. Vrain Creek and west of 61st Street between Lyons and Longmont. The District uses Lake 4 to store water for later release to St. Vrain Creek to augment out-of-priority depletions for members who pay a fee under its Water Activity Enterprise Fund.

The 2013 flood caused severe damage to Lake 4. The damage consists of the breaching of the upstream and downstream reservoir zoned-earth embankments; loss of the lower portion of the Inlet rundown channel; loss of measurement instrumentation; and deposition of approximately 250,000 CY of sediment into the bottom of Lake 4. This sediment reduces the reservoir's water storage capacity. Repair of the two breached embankments with their associated water works, repair of the bank and the inlet, and removal of the sediment are all needed to restore the pre-flood function and capacity of Lake 4. This work is captured under FEMA PW 1130.

Concurrent with the flood repairs, BCPOS and the District will also repair the Lake 4 outlet pipeline between the dam's new outlet structure and St. Vrain Creek. The existing outlet pipeline did not function dependably before the flood. Since the pipeline itself was not damaged by the flood, FEMA is not considering its repair an expense eligible for reimbursement. However, the pipeline is integral to the delivery function of the water storage reservoir, so BCPOS and the District have elected to complete the pipeline repair to improve the resiliency of the facility. This resiliency will extend into the watershed by adding needed redundancy and flexibility in storage and delivery in the overall St. Vrain system.

CDBG-DR funds will pay for Boulder County's 50% split of the local share (6.25% of total construction, engineering, and wildlife consulting costs) under PW 1130 as well as Boulder County's share of the outlet pipeline in accordance with the intergovernmental agreement, as amended, between Boulder County and the St. Vrain & Left Hand Water Conservancy District.

Scope of work for this project includes:

1. **Downstream embankment repair.** This repair will be reconstructed as a zoned earth embankment with clay cutoff wall at the location of the breach. This repair will tie into the existing slurry wall thereby resealing the dam embankment and restoring the water storage function.
2. **Reconstruct the primary outlet structure** within the breach repair area to restore the water delivery function of regulating releases from Lake 4 and to include a service

- spillway. Access towers will be constructed on either side of the dam to provide access to the outlet works.
3. **Repair the outlet pipeline.** The repair consists largely of slip-lining approximately 2,100 feet of the existing pipeline to eliminate leaks, constructing approximately 300 feet of new pipeline between 61<sup>st</sup> Street and St. Vrain Creek across the County’s Ramey (open space) property, installing new manholes for additional maintenance and inspection access, relocating a section of pipeline onto Boulder County property, and providing a measurement structure on the relocated section.
  4. **Construct a new emergency spillway at the North end of the Lake 4 dam.** The spillway will transition flow from Lake 4 into the down-gradient West Lake during high flow events. The spillway is part of the Hazard Mitigation element of the project. An access road will be reconstructed across the top of the spillway.
  5. **Upstream bank repairs** include constructing a clay-core cutoff wall that will tie into the existing slurry wall to restore the reservoir’s perimeter liner and water storage function. In addition, a riprap-lined emergency run-down/spillway is designed for the repaired bank. The spillway will direct up-gradient flood flows into Lake 4 during high flow events. In normal conditions, ground water on the up-gradient side of the repaired Lake 4 liner will be conveyed to the South Branch Ditch and /or to St. Vrain Creek via a small existing channels.
  6. **Sediment removal.** Approximately 250,000 cubic yards of sediment was deposited into Lake 4. An estimated 60,000 cubic yards will be used in reconstruction, with the remaining being hauled to 6 locations outside the project area. These sites include: Clough & True Ditch reconstruction, West Lake bottom, West Lake Dam Embankment, A-Frame Pond down-stream breach, Ramey Open Space backfill area, and stock pile at BCPOS for future county projects.

**Area of Service:** Census Tract 0136.01, Block Group 1

**National Objective:**

**Low/Mod Income Benefit:**       **Percentage Met:** N/A  
**Urgent Need:**

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:** (c) Public Facilities  
(g) Payment of Non-Federal Share  
**24 CFR § 570.202:** N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (2) Construction of public facilities  
(9) Payment of non-Federal share

**Covered Project:** Yes  No   
(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds.)

**Compliance with Davis Bacon Act Required:** Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:**

(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

Yes  No

**MBE/WBE Contract Statement Required:**

(Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

Yes  No

**Compliance with Resilience Performance Standards Required:**

Yes  No

**Work Program Activities**

**Completion Date**

|  |                           |
|--|---------------------------|
| <b>A. Household Assistance Programs</b>                            | <b>N/A</b>                |
| <b>B. Design/Engineering</b>                                       | <b>February 28, 2018</b>  |
| <b>C. Environmental Clearance<br/>(Adopt FEMA REC)</b>             | <b>August 2, 2019</b>     |
| <b>D. Income Survey</b>  | <b>N/A</b>                |
| <b>E. Procurement &amp; Contracting</b>                            | <b>August 30, 2019</b>    |
| <b>F. Acquisition(s)</b>   | <b>N/A</b>                |
| <b>G. Relocation(s)</b>  | <b>N/A</b>                |
| <b>H. Clearance &amp; Demolition<br/>(including re-vegetation)</b> | <b>N/A</b>                |
| <b>I. Debris Removal</b>   | <b>N/A</b>                |
| <b>J. Construction</b>   | <b>October 15, 2020</b>   |
| <b>K. FEMA Project Closeout</b>                                    | <b>March 31, 2022</b>     |
| a. Submit closeout package by                                      | <b>September 30, 2021</b> |
| <b>L. Project Delivery</b>   | <b>N/A</b>                |
| <b>M. CDBG-DR Grant Closeout</b>                                   | <b>November 30, 2021</b>  |
| <b>N. Pre-Agreement Tasks</b>                                      |                           |
| a. Design/Engineering  | <input type="checkbox"/>  |
| b. Environmental Review/Assessment                                 | <input type="checkbox"/>  |
| c. Permits/Surveys   | <input type="checkbox"/>  |

- d. Real Property/Easement/Acquisition/Lease
- e. Legal/Bonding/Insurance
- f. Construction Costs
- g. Construction Management
- h. Project Delivery
- i. Other (Please Specify)

## APPENDIX A-14

### WORK PROGRAM: INF-00073, Amended September 28, 2021

**Delegate:** Boulder County

**Project:** Niwot Ditch Diversion Reconstruction

#### **Goal or Activity Description:**

##### Project Overview and Context

Boulder County Parks and Open Space (BCPOS) is working in collaboration with the Niwot Ditch Company and associated unincorporated ditches to reconstruct the Niwot Ditch in-stream diversion dam on St. Vrain Creek between 75th Street and Airport Road just west of Longmont, Colorado. Additional collaborators are the US Fish and Wildlife Service (USFWS), Colorado Parks and Wildlife (CPW), Colorado Trout Unlimited (CTU). The current structure, a temporary structure built after the 2013 flood, is in a dilapidated state and vulnerable to structural failure during peak flows or high flow events. Additionally, this structure creates a hydraulic jump in the creek, increasing potential for erosion and avulsion, creating a barrier to fish passage and disrupting important natural stream processes, such as sediment transport.

In 2013, flood waters scoured the stream banks, destroyed wetlands and riparian areas, and caused significant avulsion and undercutting around the Niwot Ditch diversion structure, weakening its stability. Post-flood emergency repairs to the diversion structure were completed in 2014 as a temporary solution to restore the capacity for the ditch users to divert their irrigation water. The temporary repair remains in place and is at risk of failure during high flows threatening operations posing some public safety risk.

The overall objective of the project is to reconstruct the diversion with more resilient structures that ensure the efficient delivery of decreed water rights while also restoring habitat connectivity for native fish populations and other important natural stream processes.

The project will replace the existing diversion dam with a smaller engineered structure approximately 400 feet upstream of the existing dam. Using design concepts from natural channel design, the new diversion dam will be a multi-objective structure built from natural materials that is more resilient to high flows, reduces flood risk, allows passage of native and non-native fish, and facilitates natural stream processes and function.

##### Project Scope

The project begins approximately 2,365 feet downstream of 75th Street and extends downstream for approximately 1,400 feet. The existing Niwot Ditch diversion dam will be removed and replaced with a low-profile diversion using natural channel design elements. The new diversion dam will begin approximately 475 feet upstream from the existing dam and will consist of a series of boulder riffles set at a crest elevation that will sweep the creek at flows of 25 cfs or below as required by the ditches' water rights decree. In order to achieve the necessary crest elevation along



with slopes and water velocities that will allow passage of all native fish species in the project reach, approximately 1,000 ft. of stream channel will be rehabilitated.

The project will involve approximately 18,232 cubic yards of total earthwork, including 4,375 cubic yards of cut (of which all 4,375 CY will be repurposed as fill; Table 1). Approximately 7,000 cubic yards of native alluvium will be imported from Boulder County's Reach 3 Phase 2 Project.

In addition, specific natural channel design elements include: boulder riffles, buried floodplain sills, toe wood bank stabilization, boulder bank protection and reconstructed riffles using native alluvium. All structures are designed to be compatible with the geomorphic and hydrologic conditions of St. Vrain Creek and with known habitat requirements for the resident fish assemblage. In-stream structures will be constructed with materials found within the watershed and/or imported material that matches existing conditions.

**Area of Service:** Census Tract 0132.13, Block Group 3

**National Objective:**

**Low/Mod Income Benefit:**       **Percentage Met:**      **64.19%**  
**Urgent Need:**                                   

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:**      (c) Public Facilities  
**24 CFR § 570.202:**      N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):**      (2) Construction of public facilities

**Covered Project:**

(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds, or spans two Counties.)

Yes  No  (project is fully within Boulder County, although beneficiaries are in two Counties)

**Compliance with Davis Bacon Act Required:**

Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:**

(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

Yes  No

**MBE/WBE Contract Statement Required:**

(Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

Yes  No

**Compliance with Resilience Performance Standards Required:**

Yes  No

**Work Program Activities**

**Completion Date**

**A. Household Assistance Programs**

**N/A**

|  |                                     |
|--|-------------------------------------|
| <b>B. Design/Engineering</b>                                       | <b>October 15, 2020</b>             |
| <b>C. Environmental Clearance<br/>(HUD CatEx)</b>                  | <b>January 25, 2021</b>             |
| <b>D. Income Survey</b>  | <b>N/A</b>                          |
| <b>E. Procurement &amp; Contracting</b>                            | <b>January 26, 2021</b>             |
| <b>F. Acquisition(s)</b>   | <b>N/A</b>                          |
| <b>G. Relocation(s)</b>  | <b>N/A</b>                          |
| <b>H. Clearance &amp; Demolition<br/>(including re-vegetation)</b> | <b>N/A</b>                          |
| <b>I. Debris Removal</b>   | <b>N/A</b>                          |
| <b>J. Construction</b>   | <b>April 30, 2021</b>               |
| <b>K. FEMA Project Closeout</b>                                    | <b>N/A</b>                          |
| <b>L. Project Delivery</b>   | <b>August 25, 2021</b>              |
| <b>M. CDBG-DR Grant Closeout</b>                                   | <b>November 30, 2021</b>            |
| <b>N. Pre-Agreement Tasks</b>                                      |                                     |
| j. Design/Engineering  | <input type="checkbox"/>            |
| k. Environmental Review/Assessment                                 | <input checked="" type="checkbox"/> |
| l. Permits/Surveys   | <input type="checkbox"/>            |
| m. Real Property/Easement/Acquisition/Lease                        | <input type="checkbox"/>            |
| n. Legal/Bonding/Insurance   | <input type="checkbox"/>            |
| o. Construction Costs  | <input checked="" type="checkbox"/> |
| p. Construction Management   | <input type="checkbox"/>            |
| q. Project Delivery  | <input checked="" type="checkbox"/> |
| r. Other (Please Specify)  |                                     |

**APPENDIX A-15**

**WORK PROGRAM: INF-00074, Amended September 28, 2021**

**Delegate:** Boulder County

**Project:** Sugarloaf Road Repairs

**Goal or Activity Description:** The CDBG-DR-funded scope of work is engineering design for the Sugarloaf Road Repairs Project. A 0.4-mile section of Sugarloaf Road from the intersection with SH 119 experienced damages during the 2013 flood from rain flows and slope failure. Temporary repairs were completed under FEMA PA PW 1164, but permanent resiliency improvements were not funded. PW 1164 funded a portion of the engineering design, but would not fund a portion of engineering design because it was related to the improved project.

Permanent repairs will consist of culvert installation and replacement; asphalt repair; roadway widening; addition of new drainage swales and features; repair, removal, and/or replacement of existing retaining walls, repair of slope failure, removal or replacement of existing guard rail, and 0.18-mile of construction within the right of way of SH 119 to install a lower three tier retaining wall. A FEMA PDM grant will fund the construction of this project, and funded a portion of engineering design. The remainder of the engineering design costs were not eligible under the PDM project due to pre-award cost restrictions.

CDBG-DR will fund engineering design costs that were not eligible for reimbursement under the FEMA PA or PDM grants.

**Area of Service:** Census Tract 0137.02, Block Groups 1 and 2

**National Objective:**

**Low/Mod Income Benefit:**  **Percentage Met:** N/A  
**Urgent Need:**

**CDBG-DR Eligible Activity Citation from 24 CFR § 570.201:** (c) Public Facilities  
**24 CFR § 570.202:** N/A

**State CDBG-DR Eligible Activity Citation from HCDA § 105(a):** (2) Construction of public facilities

**Covered Project:**

(Major infrastructure project total cost of \$50 million or more, including at least \$10 million of CDBG-DR funds, or spans two Counties.)

Yes  No  (project is fully within Boulder County, although beneficiaries are in two Counties)

**Compliance with Davis Bacon Act Required:**

Yes  No

**Compliance with Section 3 of the Housing and Urban Development Act of 1968 Required:**

Yes  No

(Refer to Title 24 CFR Part 135 and the Boulder County Collaborative Section 3 plan dated January 18, 2016)

**MBE/WBE Contract Statement Required:** Yes  No   
 (Refer to Boulder County Collaborative CDBG-DR Required Bid and Contract Documents Instructions.)

**Compliance with Resilience Performance Standards Required:** Yes  No

| <u>Work Program Activities</u>                                 | <u>Completion Date</u>              |
|--|-------------------------------------|
| <b>A. Household Assistance Programs</b>                        | N/A                                 |
| <b>B. Design/Engineering</b>                                   | January 1, 2020                     |
| <b>C. Environmental Clearance (Adopted FEMA REC)</b>           | February 10, 2021                   |
| <b>D. Income Survey</b>  | N/A                                 |
| <b>E. Procurement &amp; Contracting</b>                        | January 1, 2020                     |
| <b>F. Acquisition(s)</b>                                       | N/A                                 |
| <b>G. Relocation(s)</b>  | N/A                                 |
| <b>H. Clearance &amp; Demolition (including re-vegetation)</b> | N/A                                 |
| <b>I. Debris Removal</b>                                       | N/A                                 |
| <b>J. Construction Award (for national objective)</b>          | June 22, 2021                       |
| <b>K. FEMA Project Closeout</b>                                | N/A                                 |
| <b>L. Project Delivery</b>                                     | N/A                                 |
| <b>M. CDBG-DR Grant Closeout</b>                               | October 31, 2021                    |
| <b>N. Pre-Agreement Tasks</b>                                  |                                     |
| a. Design/Engineering  | <input checked="" type="checkbox"/> |
| b. Environmental Review/Assessment                             | <input checked="" type="checkbox"/> |
| c. Permits/Surveys   | <input type="checkbox"/>            |
| d. Real Property/Easement/Acquisition/Lease                    | <input type="checkbox"/>            |
| e. Legal/Bonding/Insurance                                     | <input type="checkbox"/>            |
| f. Construction Costs  | <input type="checkbox"/>            |
| g. Construction Management                                     | <input type="checkbox"/>            |
| h. Project Delivery  | <input checked="" type="checkbox"/> |

- i. Other (Please Specify)Project Delivery
- j. Other (Please Specify)

**APPENDIX B-1**

**INFRASTRUCTURE PROGRAM BUDGET, Amended September 28, 2021**

**Delegate:** Boulder County

**Projects:**

| <b>Work Program #</b> | <b>Project Name</b>   | <b>Advance (A)<br/>Reimburse (R)<br/>or Both (B)</b> | <b>Total Project Costs</b> | <b>Other Funds</b>  | <b>Other Funding Sources</b>              |
|-----------------------|---|--|----------------------------|---|---|
| INF-00024             | CDBG-DR Buyouts & Acquisitions Program (“DR Buyouts”)   | R  | \$11,880,339.89            | \$0.00  |   |
|                       |   | Subtotal   | \$11,880,339.89            | \$0.00  |   |
| INF-00025             | FEMA HMGP Buyouts Global Match (“HMGP Buyouts”)   | R  | \$9,306,416.17             | \$6,852,852.60<br>\$1,142,142.10<br>\$65,841.47               | FEMA<br>State<br>Local                    |
|                       |   | Subtotal   | \$9,306,416.17             | \$8,060,836.17  |   |
| INF-00041             | Lefthand Canyon access to Ward and Jamestown: Phase 1 Emergency Haul Road (“Emerg. Haul”)             | R  | \$347,054.00               | \$1,555.06  | Local                                     |
|                       |   | Subtotal   | \$347,054.00               | \$1,555.06  |   |
| INF-00044             | St. Vrain Creek Road Damage Phase 1: Sunset Street Bridge Replacement (Local Match) (“Sunset Bridge”) | R  | \$4,322,953.71             | \$2,935,101.97<br>\$305,067.67<br>\$608,314.77<br>\$74,708.80 | FHWA<br>CDOT<br>City of Longmont<br>Local |
|                       |   | Subtotal   | \$4,322,953.71             | \$3,923,193.21  |   |
| INF-00045             | Lefthand Canyon Drive: Flood Repairs of Glendale Gulch (“Glendale”)                                   | R  | \$1,083,566.42             | \$0.00  |   |
|                       |   | Subtotal   | \$1,083,566.42             | \$0.00  |   |

**Projects (continued):**

| <b>Work Program #</b> | <b>Project Name</b>  | <b>Advance (A) Reimburse (R) or Both (B)</b> | <b>Total Project Costs</b> | <b>Other Funds</b>                             | <b>Other Funding Sources</b>   |
|-----------------------|--|--|----------------------------|--|--------------------------------|
| INF-00046             | Town of Ward Road Repair (“Ward”)  | R  | \$1,811,929.11             | \$0.00   |                                |
|                       |  | Subtotal                                     | \$1,811,929.11             | \$0.00   |                                |
| INF-00050             | St. Vrain Creek Reach 3 Phase 2 (“SVC R3”)   | R  | \$2,098,579.78             | \$21,454.25                                    | BoCo Local Funds               |
|                       |  | Subtotal                                     | \$2,098,579.78             | \$21,454.25                                    |                                |
| INF-00060             | West Lake & A-Frame Pond Repairs (“West Lake”)                                       | R  | \$4,360,469.02             | \$3,087,652.50<br>\$514,608.75<br>\$213,232.25 | FEMA State<br>BoCo Local Funds |
|                       |  | Subtotal                                     | \$4,360,469.02             | \$3,815,493.50                                 |                                |
| INF-00042             | PW 286 – EPM: St. Vrain Creek Repairs and Debris Removal (PA Match) (“PW 286”)       | R  | \$497,341.03               | \$373,005.77<br>\$67,141.04                    | FEMA State                     |
|                       |  | Subtotal                                     | \$497,341.03               | \$440,146.81                                   |                                |
| INF-00061             | PW 968 – Countywide Debris Removal (PA Match) (“PW 968”)                             | R  | \$2,813,058.89             | \$2,109,794.17<br>\$380,044.26<br>\$63,149.16  | FEMA State<br>BoCo Local Funds |
|                       |  | Subtotal                                     | \$2,813,058.89             | \$2,552,987.59                                 |                                |
| INF-00062             | PW 1074 – EPM-Stream Hazard: Imminent Threat Home Demolitions (PA Match) (“PW 1074”) | R  | \$153,000.00               | \$114,750.00<br>\$19,125.00<br>\$0.70          | FEMA State<br>BoCo Local Funds |
|                       |  | Subtotal                                     | \$153,000.00               | \$133,875.70                                   |                                |

**Projects (continued):**

| <b>Work Program #</b> | <b>Project Name</b>   | <b>Advance (A) Reimburse (R) or Both (B)</b> | <b>Total Project Costs</b> | <b>Other Funds</b>  | <b>Other Funding Sources</b>                 |
|-----------------------|---|--|----------------------------|---|--|
| INF-00063             | PW 1088 – EPM-Stream Hazard: Debris Removal from 10 creeks (PA Match) (“PW 1088”) | R  | \$3,147,975.98             | \$2,360,981.99<br>\$393,497.00<br>\$27,288.42                 | FEMA<br>State<br>BoCo Local Funds            |
|                       |   | Subtotal                                     | \$3,147,975.98             | \$2,781,767.40  |  |
| INF-00049             | Big Elk Meadows Sunset Lake Dam Reconstruction (“BEMA”)                           | R  | \$854,849.87               | \$163,986.20<br>\$62,916.39                                   | BEMA<br>regular HOA income<br>CWCB loan      |
|                       |   | Subtotal                                     | \$854,849.87               | \$226,902.59  |  |
| INF-00067             | Lake No. 4 Reservoir Repairs (“Lake 4”)   | R  | \$7,782,203.56             | \$5,164,190.51<br>\$860,698.42<br>\$865,379.09<br>\$79,162.38 | FEMA<br>State<br>SVLHWCD<br>BoCo Local Funds |
|                       |   | Subtotal                                     | \$7,782,203.56             | \$6,969,430.39  |  |
| INF-00073             | Niwot Ditch Diversion Reconstruction (“Niwot Ditch”)                              | R  | \$1,631,006.37             | \$428,386.60<br>\$60,000.00<br>\$200,000.00<br>\$42,198.27    | CWCB<br>CPW<br>USFWS/TU<br>Local Funds       |
|                       |   | Subtotal                                     | \$1,631,006.37             | \$730,584.87  |  |
| INF-00074             | Sugarloaf Road Repairs (“Sugarloaf”)  | R  | \$4,022,734.19             | \$133,529.84<br>\$2,680,823.70<br>\$893,607.91                | FEMA PA<br>FEMA PDM<br>Local Funds           |
|                       |   | Subtotal                                     | \$4,022,734.19             | \$3,707,961.45  |  |
| <b>TOTAL</b>          |   |  | <b>\$56,259,405.97</b>     | <b>\$33,362,985.74</b>  |  |



**Projects' Budgets:**

| <b>Project</b> | <b>Project Delivery Category</b> | <b>CDBG-DR Project Costs</b> | <b>CDBG-DR Project Delivery</b> | <b>Total CDBG-DR Funds Awarded</b> |
|----------------|----------------------------------|------------------------------|---------------------------------|------------------------------------|
| DR Buyouts     | PD1                              | \$11,110,752.95              | \$769,586.94                    | \$11,880,339.89                    |
| HMGP Buyouts   | PD1                              | \$1,164,896.31               | \$78,683.69                     | \$1,243,580.00                     |
| Emerg. Haul    | PD2                              | \$345,498.94                 | \$0.00                          | \$345,498.94                       |
| Sunset Bridge  | PD2                              | \$399,760.50                 | \$0.00                          | \$399,760.50                       |
| Glendale       | PD2                              | \$978,350.92                 | \$105,215.50                    | \$1,083,566.42                     |
| Ward           | PD2                              | \$1,668,190.11               | \$143,739.00                    | \$1,811,929.11                     |
| SVC R3         | PD2                              | \$1,747,857.75               | \$298,254.65                    | \$2,046,112.40                     |
| West Lake      | PD2                              | \$528,422.77                 | \$5,969.23                      | \$534,392.00                       |
| PW 286         | PD2                              | \$57,194.22                  | \$0.00                          | \$57,194.22                        |
| PW 968         | PD2                              | \$260,071.30                 | \$0.00                          | \$260,071.30                       |
| PW 1074        | PD2                              | \$19,124.30                  | \$0.00                          | \$19,124.30                        |
| PW 1088        | PD2                              | \$366,208.58                 | \$0.00                          | \$366,208.58                       |
| BEMA           | PD2                              | \$625,066.41                 | \$2,880.87                      | \$627,947.28                       |
| Lake 4         | PD2                              | \$810,826.62                 | \$1,946.55                      | \$812,773.17                       |
| Niwot Ditch    | PD2                              | \$863,702.43                 | \$34,157.63                     | \$897,860.06                       |
| Sugarloaf      | PD2                              | \$307,532.02                 | \$0.00                          | \$307,532.02                       |
| <b>TOTAL</b>   |                                  | <b>\$21,253,456.13</b>       | <b>\$1,440,234.06</b>           | <b>\$22,693,690.19</b>             |

**Advance Payments:** Advance pay requests submitted to the City from the Delegate must be based on an actual invoice from the contractor or consultant. The Delegate must pay the invoice within three (3) days of receipt of the advanced funds and provide proof of payment to the City within thirty (30) days of receipt of the advanced funds.

**Cost Coverage for Uncompleted Projects:** HUD requires that for a project to be considered complete, the national objective assigned to the project is achieved. For projects that fail to meet a national objective and when costs incurred are not appropriate or eligible for transfer to the Planning activity reimbursement under the Collaborative's Planning allocation, all costs incurred are the responsibility of the Delegate, including consultant costs and staff costs incurred by the City on behalf of the Delegate.

**Project Delivery:** Project delivery costs are costs associated with implementing and carrying out eligible CDBG-DR activities. All eligible project delivery costs submitted by the Delegate must

be accompanied by sufficient documentation to be acceptable for reimbursement. Project delivery may include force account labor, technical assistance, and consulting fees. In order for a Delegate's force account labor to be considered as an eligible project delivery cost, the Delegate must ensure that it is tracking and reporting all hours worked daily, per timekeeper and per project, on an approved timesheet format. The City can provide a sample timesheet format upon request from the Delegate.

Project delivery costs may also include costs associated with charges incurred from Hagerty Consulting and City staff. These charges could include time directly spent on a specific project activity, including, but not limited to, application intake, project set up, eligibility review, quality control, monitoring and/or technical assistance, or these charges could be distributed on a fair share basis for program-wide implementation.

Contractors or consultants procured by the City on behalf of the Collaborative, including Hagerty Consulting, are under contract to the City, not the Delegate; therefore, the City will pay all such invoices directly and charge the costs back to the project.

Project delivery costs are awarded and/or invoiced to the Delegate per project delivery category as follows:

- **PD1:** Project delivery costs incurred by the City are applied against the Delegate's project delivery award and are invoiced to the Delegate as services rendered by the City. In the event that eligible project delivery costs exceed the project delivery amount awarded in this Agreement, coverage of charges incurred by the City, for Hagerty Consulting, City staff, and any contractors or consultants the City procured on behalf of the Collaborative, will take first priority. Once the City's project delivery costs are allocated in full, remaining project delivery funds, as available up to the project delivery budget amount, can be used to cover the Delegate's other incurred eligible project delivery charges.
- **PD2:** Project delivery costs incurred by the City for any contractors or consultants the City procures on behalf of the Collaborative (excluding Hagerty Consulting) are invoiced to the Delegate as services rendered by the City.

**Budget Line Item Adjustments:** Line item adjustments shall not increase the total CDBG-DR funds or the total amount of the project delivery budget awarded in this Agreement unless adjusted by an amendment.

The Delegate has authority to adjust project budget line item amounts in order to transfer unexpended awarded funds between the projects listed in this Appendix B-1. Prior to making any such line item adjustments, the Delegate must obtain written approval from the City to ensure we stay compliant with the overall Grant's budget requirements. The Delegate's Responsible Administrator shall submit a written request for adjustments to the City. Such request shall include the amount of such requested adjustments, the reason for the adjustments, and any necessary documentation to support the adjustments. If the City approves the request for adjustments, the City Manager will unilaterally execute an Option Letter accepting such request. The Delegate is not authorized to perform until it receives an executed Option Letter accepting such adjustment.

**Reimbursement Milestones:** If target dates for reimbursement milestones are not met, the City has the authority to use any remedies stated in this Agreement, including, but not limited to, those specified in paragraph 10 above.

**Funds Reimbursed as of September 30, 2021:**    **\$22,510,985.50**  
**Remaining Funds to be Reimbursed:**            **\$182,704.69**

**Remaining Funds Reimbursement Schedule:**

| <b>Target Date</b> | <b>% Reimbursed</b> | <b>Cumulative Reimbursement Target Amount</b> |
|--------------------|---------------------|---|
| December 31, 2021  | 100%                | \$182,704.69                                  |

**Disposition of Program Income:** Program income is not anticipated.

**APPENDIX B-2**

**HOUSING ASSISTANCE PROGRAM BUDGET, Amended September 28, 2021**

**Delegate:** Boulder County

**Projects:**

| <b>Work Program #</b> | <b>Project Name</b>                     | <b>Advance (A) Reimburse (R) or Both (B)</b> | <b>Total Project Costs</b> | <b>Other Funds</b>    | <b>Other Funding Sources</b> |
|-----------------------|---|--|----------------------------|-----------------------|------------------------------|
| HAP-00001             | Household Assistance Program Activities |  |                            |                       |                              |
|                       | Home Access ("Access")                  | R  | \$8,308,650.84             | \$164,754.97          | Local funds                  |
|                       | Temporary Rental Assistance ("TRA")     | R  | \$455,300.14               | \$388,325.54          | Local funds                  |
|                       | Rehab                                   | R  | \$3,824,520.58             | \$3,143,526.12        | Local funds                  |
|                       | Clearance & Demo ("C&D")                | R  | \$302,399.00               | \$244,277.00          | Local funds                  |
| <b>TOTAL</b>          |   |  | <b>\$12,890,870.60</b>     | <b>\$3,940,883.63</b> |                              |

**Budgets:**

| <b>Activity Name</b> | <b>Project Delivery Category</b> | <b>CDBG-DR Project Costs</b> | <b>CDBG-DR Project Delivery</b> | <b>Total CDBG-DR Funds Awarded</b> |
|----------------------|----------------------------------|------------------------------|---------------------------------|------------------------------------|
| Access               | PD2                              | \$7,141,442.28               | \$1,002,403.59                  | \$8,143,845.87                     |
| TRA                  | PD2                              | \$66,974.60                  | \$0.00                          | \$66,974.60                        |
| Rehab                | PD2                              | \$574,694.92                 | \$106,299.54                    | \$680,994.46                       |
| C&D                  | PD2                              | \$58,122.00                  | \$0.00                          | \$58,122.00                        |
| <b>TOTAL</b>         |                                  | <b>\$7,841,233.80</b>        | <b>\$1,108,703.13</b>           | <b>\$8,949,936.93</b>              |

**Advance Payments:** Advance pay requests submitted to the City from the Delegate must be based on an actual invoice from the contractor or consultant. The Delegate must pay the invoice within three (3) days of receipt of the advanced funds and provide proof of payment to the City within thirty (30) days of receipt of the advanced funds.

**Cost Coverage for Uncompleted Projects:** HUD requires that for a project to be considered complete, the national objective assigned to the project is achieved. For projects that fail to meet a national objective, project costs incurred by the Delegate are the responsibility of the Delegate.

**Project Delivery:** Project delivery costs are costs associated with implementing and carrying out eligible CDBG-DR activities. All eligible project delivery costs submitted by the Delegate must be accompanied by sufficient documentation to be acceptable for reimbursement. Project delivery may include force account labor, technical assistance, and consulting fees. In order for a Delegate's force account labor to be considered as an eligible project delivery cost, the Delegate must ensure that it is tracking and reporting all hours worked daily, per timekeeper and per project, on an approved timesheet format. The City can provide a sample timesheet format upon request from the Delegate.

Project delivery costs may also include costs associated with charges incurred from Hagerty Consulting and City staff. These charges could include time directly spent on a specific project activity, including, but not limited to, application intake, project set up, eligibility review, quality control, monitoring and/or technical assistance, or these charges could be distributed on a fair share basis for program-wide implementation.

Contractors or consultants procured by the City on behalf of the Collaborative, including Hagerty Consulting, are under contract to the City, not the Delegate; therefore, the City will pay all such invoices directly and charge the costs back to the project.

Project delivery costs are awarded and/or invoiced to the Delegate per project delivery category as follows:

- **PD2:** Project delivery costs incurred by the City for any contractors or consultants the City procures on behalf of the Collaborative (excluding Hagerty Consulting) are invoiced to the Delegate as services rendered by the City.

**Budget Line Item Adjustments:** Line item adjustments shall not increase the total CDBG-DR funds or the total amount of the project delivery budget awarded in this Agreement unless adjusted by an amendment.

The Delegate has authority to adjust project budget line item amounts in order to transfer unexpended awarded funds between the projects listed in this Appendix B-1. Prior to making any such line item adjustments, the Delegate must obtain written approval from the City to ensure we stay compliant with the overall Grant's budget requirements. The Delegate's Responsible Administrator shall submit a written request for adjustments to the City. Such request shall include the amount of such requested adjustments, the reason for the adjustments, and any necessary documentation to support the adjustments. If the City approves the request for adjustments, the City Manager will unilaterally execute an Option Letter accepting such request. The Delegate is not authorized to perform until it receives an executed Option Letter accepting such adjustment.

**Reimbursement Milestones:** If target dates for reimbursement milestones are not met, the City has the authority to use any remedies stated in this Agreement, including, but not limited to, those specified in paragraph 10 above.

**Funds Reimbursed as of July 31, 2021:** \$8,949,936.93

**Remaining Funds to be Reimbursed:** \$0.00

**Remaining Funds Reimbursement Schedule:** N/A

**Disposition of Program Income:** Program income is not anticipated.