



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

1313 Sherman Street, Room 721
Denver, CO 80203

October 24, 2014

Mr. Jim Pokrandt
Colorado Basin Roundtable Chair
Colorado River Water Conservation District
P.O. Box 1120
Glenwood Springs, CO 81602

**RE: Notice to Proceed - WSRA Grant – Amendment #1 Colorado Basin
Implementation Plan Supplemental Funding**

Dear Jim,

This letter is to inform you that the amendment contract to assist in the above WSRA grant project was approved on October 22, 2014. The original contracts will be mailed to you.

With the executed contract, you are now able to proceed with the project and invoice the State of Colorado for costs incurred through April 30, 2015. Upon receipt of your invoice(s), the State of Colorado will provide payment no later than 45 days.

If you have any project related questions or concerns regarding the project, please contact me.

Sincerely,

//s//

**Brent Newman
Program Manager**

Water Supply Planning Section

O 303.866.3441 x3222 | C [303.681.8420](tel:303.681.8420)

1313 Sherman Street, Suite 723, Denver, CO 80203

brent.newman@state.co.us | www.cwcb.state.co.us | www.coloradowaterplan.com



CONTRACT AMENDMENT

Amendment #1 CORE#2015-546	Original Contract CMS # 63546 C150542	Amendment CMS # 73875
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1) PARTIES

This Amendment to the above-referenced Original Contract (hereinafter called the Contract) is entered into by and between Colorado River Water Conservation District, acting by and through its Colorado River Water Projects Enterprise (hereinafter called "Contractor"), and the STATE OF COLORADO (hereinafter called the "State") acting by and through the Department of Natural Resources, Colorado Water Conservation Board, (hereinafter called the "CWCB").

2) EFFECTIVE DATE AND ENFORCEABILITY

This Amendment shall not be effective or enforceable until it is approved and signed by the Colorado State Controller or designee (hereinafter called the "Effective Date"), but shall be effective and enforceable thereafter in accordance with its provisions. The State shall not be liable to pay or reimburse Contractor for any performance hereunder, including, but not limited to costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

3) FACTUAL RECITALS

The Water Supply Reserve Account provides money for grants and loans to complete water activities, which are broadly defined and include water supply and environmental projects and/or studies. This Grant is will be expended to draft a Colorado Basin Implementation Plan that conforms to the Basin Implementation Plan Guidance Document to include Sections 1-6 on behalf of the Colorado River Basin Roundtable.

4) CONSIDERATION

Consideration for this Amendment consists of the payments to be made hereunder and the obligations, promises, and agreements herein set forth.

5) LIMITS OF EFFECT

This Amendment is incorporated by reference into the Contract, and the Contract and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

6) MODIFICATIONS. The Contract and all prior amendments thereto, if any, are modified as follows:

- a. **5. TERM and EARLY TERMINATION is amended to read as follows:** "The Parties respective performance under this Grant shall terminate on April 30, 2015 unless sooner terminated or further extended as specified elsewhere herein.
- b. **6.a. Completion:** Grantee shall complete the Work and its other obligations as described herein and in the **Exhibit A** on or before April 30, 2015. The State shall not be liable to compensate Grantee for any Work performed prior to the Effective Date or after the termination of this Grant.
- c. The Schedule that was included in the Original Contract's Scope of Work shall be replaced by the updated schedule attached hereto as **Exhibit 4**.

7a. Maximum Amount: The maximum amount payable under this Grant to Grantee by the State is \$350,000 as determined by the State from available funds. Grantee agrees to provide any additional funds required for the successful completion of the Work. Payments to Grantee are limited to the unpaid obligated balance of the Grant as set forth in **Exhibit A**. The maximum amount payable by the State to Grantee during each State fiscal year of this Grant shall be:

\$250,000 in FY2014
\$350,000 in FY2015, minus any funds expended in FY2014

7) EFFECTIVE DATE OF AMENDMENT

The effective date hereof is upon approval of the State Controller or their delegate.

8) ORDER OF PRECEDENCE

Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Contract, the provisions of this Amendment shall in all respects supersede, govern, and control. The most recent version of the Special Provisions incorporated into the Contract or any amendment shall always control other provisions in the Contract or any amendments.

9) AVAILABLE FUNDS

Financial obligations of the state payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available.

THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT

* Persons signing for Contractor hereby swear and affirm that they are authorized to act on Contractor's behalf and acknowledge that the State is relying on their representations to that effect.

CONTRACTOR

Colorado River Water Conservation District, acting by and through its Colorado River Water Enterprise

By: Dan Birch
 Title: Deputy General Manager

[Signature]
 *Signature

Date: 10/6/14

STATE OF COLORADO

John W. Hickenlooper, GOVERNOR
 Mike King, Department of Natural Resources

By: Rebecca Mitchell
 By: Rebecca Mitchell, Section Chief,
 Water Supply Planning Section, CWCB
 Signatory avers to the State Controller or delegate that
 Grantee has not begun performance or that a Statutory
 Violation waiver has been requested under Fiscal Rules

Date: 10-9-14

ALL CONTRACTS REQUIRE APPROVAL BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Contracts. This Contract is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If Contractor begins performing prior thereto, the State of Colorado is not obligated to pay Contractor for such performance or for any goods and/or services provided hereunder.

STATE CONTROLLER

Robert Jaros, CPA, MBA, JD

By: [Signature]

Name and Title: Susan Borup, DNR Controller

Date: 10/22/14

Exhibit A SOW
Exhibit 4 Schedule

THE COLORADO BASIN ROUNDTABLE
C/O P.O. BOX 1120
GLENWOOD SPRINGS, COLORADO
81602

Scope of Work for Phase II of Colorado Basin Roundtable BIP development

The Colorado Basin Roundtable has secured \$100,000 in funding from its Water Supply Reserve Account – through CWCB approval – to continue development of its Basin Implementation Plan. Our deadline for resubmittal to the CWCB is April 30, 2015. The Colorado River District remains our third-party fiscal agent.

Each of the tasks in Phase II, as outlined below, will only be executed by a discrete task order issued by the CBRT.

Tasks

1. Editing and revising – Estimate 100 hours at \$100 an hour: **\$10,000**
Timeline: April 30, 2015
2. Project tiering and project information sheets – not to exceed 174 hours: **\$20,590**
Timeline: April 30, 2015
3. Complete water provider surveys – not to exceed 62 hours at **\$8,230**
Timeline: April 30, 2015
4. Incorporation of new data – estimate 50 hours at \$100 an hour: **\$5,000**
Timeline: April 30, 2015
5. Document layout reformatting from 11 x 17 to 8.5 x 11: Not to exceed **\$5,000**
Timeline: April 30, 2015
6. Professional copy editing and final document cleanup – Not to exceed **\$6,500**
Timeline: April 30, 2015
7. Existing website and Social Media Maintenance and Outreach – not to exceed 32 hours: **\$2,080**
Timeline: April 30, 2015
8. CDSS StateMod Work – not to exceed: **\$42,600**
Timeline: April 30, 2015

Deliverable: A revised and edited draft of the Colorado Basin Roundtable's Basin Implementation Plan. **April 30, 2015.**