



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

1313 Sherman Street, Room 718
Denver, CO 80203

December 17, 2015

Lower South Platte Water Conservancy District
Attn: Mr. Joe Frank, General Manager
100 Broadway Plaza
Sterling, CO 80751

RE: Notice to Proceed – ATM Grant – Amendment #1 - Implementation of the Northeast
Colorado Water Cooperative

Dear Joe,

This letter is to inform you that the amendment #1 contract to assist in the Implementation of the Northeast Colorado Water Cooperative was signed on December 16, 2015. The original signed amendment contracts will be mailed to you.

With the executed amendment, you are now able to proceed with the project and continue invoicing the State of Colorado for cost incurred through February 17, 2017. Please indicate the contract number *CTGG1 2015-496* along with the project name on all correspondence sent to CWCB. Upon receipt of your invoice(s), the State of Colorado will provide payment no later than 30 days after approval from the project manager.

If you have any questions or concerns regarding the project, please contact Craig Godbout, Project Manager at (303) 866-3441 ext. 3210.

Sincerely,

//s//

Craig Godbout
Program Manager
Colorado Water Conservation Board
Water Supply Planning Section
1313 Sherman Street, Suite 718
Denver CO 80203
 [\(303\) 866-3441, ext 3210](tel:(303)866-3441) (office)
 [\(303\) 547-8061](tel:(303)547-8061) (cell)
craig.godbout@state.co.us

Attachments



CONTRACT AMENDMENT

Amendment #1 CORE #CTGG1 2015-496	Original Contract CMS # 61149 Original Contract # C150531	Amendment CMS #85961
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1) PARTIES

This Amendment to the above-referenced Original Contract (hereinafter called the Contract) is entered into by and between Lower South Platte Water Conservancy District (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 Parties entered into the Contract for the Alternative Agricultural Water Transfer Methods Competitive Grant Program implementation of the Northeast Colorado Water Cooperative in the South Platte River Basin.

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 commence on the Effective Date. This Grant shall terminate on February 17, 2017 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 February 17, 2017. 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 **Schedule B**.

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.

GRANTEE

Lower South Platte Water Conservancy District

Name: Joe Frank
Title: Deputy General Manager

Joe Frank
*Signature

Date: 12/09/2015

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: 12-14-15

ALL CONTRACTS REQUIRE APPROVAL BY THE STATE CONTROLLER

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

STATE CONTROLLER

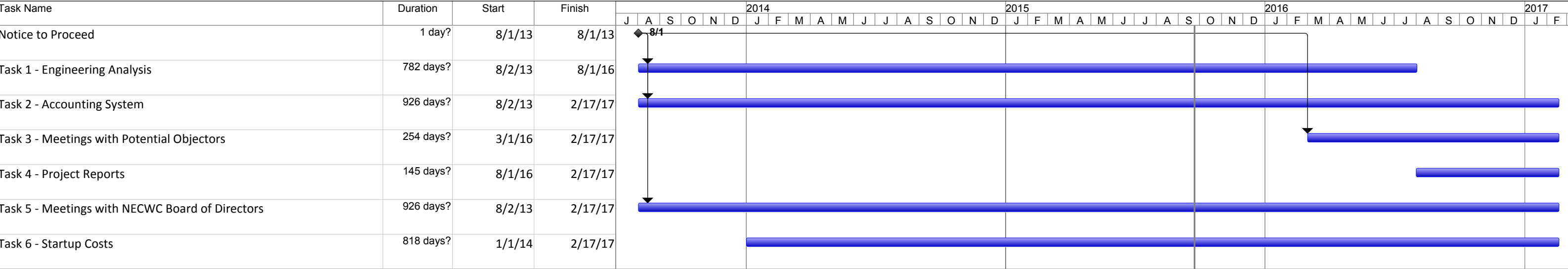
Robert Jaros, CPA, MBA, JD

By: Supriya Van CO
Department of Natural Resources

Date: 12/16/2015

Revised ATM Grant Schedule for NECWC Implementation

SCHEDULE B



Project: Schedule for ATM grant for co
Date: 9/24/15

Task

Split

Milestone

Summary

Project Summary

External Tasks

External Milestone

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

Progress

Deadline