



Contract CORE No. POGG1 2018-947
SOUTHWEST RIVER BASIN

May 18, 2018

Florida Consolidated Ditch Company
Attn: Jessica Upshaw, Secretary
P.O. Box 2138
Durango, CO 81301

Dear Grantee:

We are pleased to inform you that the Colorado Department of Natural Resources, Colorado Water Conservation Board (CWCB) has approved your application for funding pursuant to the WSRF Grant Program ("Program") in the amount of **\$99,000.00**. This letter authorizes you to proceed with the Florida Canal Diversion Structure Rehabilitation Project: **Phase 1** ("Project") in accordance with the terms of this Grant Award Letter.

Attached to this letter are the terms and conditions of your Grant. Please review these terms and conditions, as they are requirements of this Grant to which you, Florida Consolidated Ditch Company, agree by accepting the Grant Funds.

The WSRF Criteria & Guidelines can be located on our website for additional information.

If you have any questions or concerns regarding the project, please contact Anna Mauss, Project Manager at 303-866-3441 or at Anna.Mauss@state.co.us. Please send the 6-month progress reports and invoices directly to the Project Manager and cc me at Dori.vigil@state.co.us.

Thank you.

Sincerely,

//s//

Doriann Vigil
Program Assistant II
O 303-866-3441 ext. 3250
1313 Sherman Street, Rm. 719, Denver, CO 80203
Dori.vigil@state.co.us / cwcb.state.co.com

Attachments



STATE OF COLORADO
Department of Natural Resources

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ORDER

*****IMPORTANT*****

Number: POGG1,PDAA,201800000947

Date: 5/17/18

Description:

PDAA 2500 WSRF FLORIDA_CANAL DIV
REHAB_PH I

Effective Date: 05/17/18

Expiration Date: 05/31/19

The order number and line number must appear on all invoices, packing slips, cartons, and correspondence. Please review each line for its corresponding shipping/billing address and delivery instructions.

BUYER

Buyer:

Email:

VENDOR

FLORIDA CONSOLIDATED DITCH COMPANY

1053 Main Ave Ste 102

DURANGO, CO 81301

Contact: .

Phone: .

EXTENDED DESCRIPTION

Line Item	Commodity/Item Code	UOM	QTY	Unit Cost	Total Cost	MSDS Req.
1	G1000		0	0.00	\$45,000.00	<input type="checkbox"/>

Description: PDAA 2500 WSRF FLORIDA_CANAL DIV REHAB_PH I

Service From: 05/17/18

Service To: 05/31/19

Delivery Instructions

FOB: FOB Dest, Freight Allowed

Delivery Date: -

Ship To:

Bill To:

COLORADO WATER BOARD
CONSERVATION

COLORADO WATER BOARD CONSERVATION

1313 SHERMAN STREET, ROOM 718

1313 SHERMAN STREET, ROOM 718

DENVER, CO 80203

DENVER, CO 80203

Line Item	Commodity/Item Code	UOM	QTY	Unit Cost	Total Cost	MSDS Req.
2	G1000		0	0.00	\$54,000.00	<input type="checkbox"/>

Description: PDAA 2500 WSRF FLORIDA_CANAL DIV REHAB_PH I

Service From: 05/17/18

Service To: 05/31/19

Delivery Instructions

FOB: FOB Dest, Freight Allowed

Delivery Date: -

Ship To:

Bill To:



STATE OF COLORADO
Department of Natural Resources

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1313 SHERMAN STREET, ROOM 718
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TERMS AND CONDITIONS

<https://www.colorado.gov/pacific/osc/small-dollar-grant-award-terms-conditions>

DOCUMENT TOTAL = \$99,000.00



Colorado Water Conservation Board

Water Supply Reserve Fund

Exhibit A - Statement of Work

Date:	March 30, 2018
Water Activity Name:	Florida Canal Diversion Structure Rehabilitation Project
Grantee:	Florida Consolidated Ditch Company
Funding Source:	CWCB Water Supply Reserve Account

Water Activity Overview

The Florida Canal Diversion Structure Rehabilitation Project is a multi-purpose project to provide preliminary design concepts and feasibility study for repairs to the Florida Canal Diversion Structure (Diversion Structure).

The Diversion Structure delivers pre-Compact irrigation water rights to the Florida Canal headgate for irrigation of 6,900 acres on the Florida Mesa. The current Diversion Structure is a low head dam that impedes upstream fish and aquatic organism passage.

The WSRF funds will be used for Phase 1 of the project including environmental and cultural permitting needs and submittals, background work for easements and right-of-way acquisition, and a loan feasibility study for future funding of the Project. The water supply source is the Florida River. The Florida Canal provides water to Pastorius Reservoir which is a State Wildlife Area, as well as irrigation water.

The area of habitat improvement is approximately 50 acres of the Florida River, from Lemon Dam downstream to the Florida Farmers Ditch Diversion Structure. The CWCB holds two instream flow (ISF) water rights on the Florida River that extend from below Lemon Dam downstream to the Confluence with the Animas River.

Objectives:

Objectives of the Project include:

- Provide more permanent long-term repair to the Florida Canal Diversion Structure.
- Protect pre-Compact water rights, firm agricultural irrigation supply, provide water supply to Pastorius Reservoir (a State Wildlife Area), and provide drought resistance to the Florida Mesa.
- Promote safety, fish passage and connectivity to a reach of the Florida River that is currently disconnected.



Tasks

Task 1 - Engineering Design Services

Description of Task: Engineering Design Services and Basis of Design Report

Prepare preliminary design for the diversion structure and provide design documents to Colorado Water Conservation Board (CWCB), and Colorado Parks and Wildlife (CPW) for comment at 30 percent and 80 percent level of design. Prepare a basis of design report. And complete Loan Feasibility Study consisting of environmental and cultural resource assessments, easement acquisitions, Company's financial background, probable cost opinions, and repayment schedule.

Method/Procedure:

Prepare 30 percent and 80 percent level design of the diversion facility. Incorporate comments from CWCB and CPW staff at the 30 percent level and 80 percent level. Includes: 1) development of hydrological design range of flows, 2) hydraulic modeling for FEMA no rise submittal, velocities profiles for fish passage review, and diversion structure water delivery over the design flow range. Coordination with CPW, Trout Unlimited, The Nature Conservancy, and the CWCB at the 30 percent and 80 percent design level. Coordination and submittals of design related information for Army Corps of Engineers and FEMA permitting and other regulatory agencies as identified. Conduct assessments of environmental, cultural resources, and easement acquisition. Incorporate preliminary design from Task 1 and preliminary opinion of probable costs for the project. Coordination and submittals for Army Corps of Engineers and FEMA permitting and other regulatory agencies as identified. Provide financial background of Florida Consolidated Ditch Company. Prepare report for review by the CWCB staff. Incorporate comments from CWCB staff and prepare a final report for CWCB Board Review. Continue to work with Land Owner on easement and right of way including additional surveying for easement and right of ways documents.

Grantee Deliverable:

Sets of drawings at 30 percent and 80 percent level for final review and comment and a basis of design report. And a final Loan Feasibility Study.

CWCB Deliverable:

Sets of drawings at 30 percent and 80 percent level for final review and comment and a basis of design report. And a final Loan Feasibility Study.

Budget and Schedule

Exhibit B - Budget and Schedule: This Statement of Work shall be accompanied by a combined Budget and Schedule that reflects the Tasks identified in the Statement of Work.

Reporting Requirements

Reporting: The grantee shall provide its respective Roundtable(s) and the CWCB a Progress Report every 6 months, beginning from the date of executed contract. The Progress Report shall describe the status of the water activity, the completion or partial completion of the tasks identified in the Statement of Work – Exhibit A including a description of any major issues that have occurred and any corrective action to address these issues. The CWCB may withhold reimbursement until satisfactory Progress Reports have been submitted.



Reporting Requirements

Final Deliverable: At the completion of the water activity, the grantee shall provide its respective Roundtable(s) and the CWCB a final report on the grantee's letterhead that:

- Summarizes the water activity and how the water activity was completed
- Describes any obstacles encountered, and how these obstacles were overcome
- Explains the Proposed Budget versus the Actual Budget
- Confirms that all matching commitments have been fulfilled
- Includes photographs, summaries of meeting and engineering reports/design, if appropriate

The CWCB will pay the last 10% of the entire water activity budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the water activity and purchase order or contract will be closed without any further payment. Any entity that fails to complete a satisfactory Final Report and submit to CWCB within 90 days of the expiration of a purchase order or contract may be denied consideration for future funding of any type from CWCB.

Payment

Payment will be made based on actual expenditures and must include invoices for all work completed. The request for payment must include a description of the work accomplished by task, an estimate of the percent completion for individual tasks and the entire Project in relation to the percentage of budget spent, identification of any major issues, and proposed or implemented corrective actions.

Project costs not covered by this or other grants are the responsibility of the grantee. Project costs that are eligible for CWCB funds will be disbursed at the following percentages 46% WSRF funds to 54% matching funds. Costs incurred prior to the effective date of this contract are not reimbursable. The last 10% of the entire grant will be paid out when the final deliverable has been received. All products, data and information developed as a result of this contract must be provided to CWCB in hard copy and electronic format as part of the project documentation.

Performance Measures

Performance measures for this contract shall include the following: (a) Performance standards and evaluation: Grantee will produce detailed deliverables for each task as specified. Grantee shall maintain receipts for all project expenses and documentation of the minimum in-kind contributions (if applicable) per the budget in Exhibit B. The CWCB will pay out the last 10% of the budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.

(b) Accountability: Full documentation of project progress must be submitted with each invoice for reimbursement. Grantee must confirm that all grant conditions have been complied with on each invoice. Progress Reports must be submitted at least once every 6 months. A Final Report must be submitted and approved before final project payment.

(c) Monitoring Requirements: Grantee is responsible for ongoing monitoring of project progress per Exhibit A. Progress shall be detailed in each invoice and in each Progress Report, as detailed above. Additional inspections or field consultations will be arranged as may be necessary.

(d) Noncompliance Resolution: Payment will be withheld if grantee is not current on all grant conditions. Flagrant disregard for grant conditions will result in a stop work order and cancellation of the Grant Agreement.



<u>Task No.</u>	<u>Description</u>	<u>Start Date</u>	<u>End Date</u>	<u>Matching Funds</u> (cash & in-kind)	<u>WSRF Funds</u> (Basin & Statewide combined)	<u>Total</u>
Task 1	Engineer Design Services	5/2018	05/31/2019	\$114,000	\$99,000	\$213,000
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
						\$0
Total				\$114,000	\$99,000	\$213,000