

Cibola County

700 E. Roosevelt Ave., Suite 50

Grants, New Mexico 87020

Phone (505) 287-9431 – Fax (505) 285-5434



Kate Fletcher
County Manager

Cibola County Commission

Daniel J. Torrez, Chairman

Martha Garcia, 1st Vice-Chair

Christine Lowery, 2nd Vice-Chair

Ralph Lucero, Commissioner

Robert Windhorst, Commissioner

Resolution No. 23-51

WHEREAS, Cibola County participates in the Local Government Road Fund (LGRF) program administered by the New Mexico Department of Transportation; and

WHEREAS, Cibola County and New Mexico Department of Transportation have entered into a joint and coordinated effort; and

WHEREAS, Cibola County Road Department has been working on unforeseen flooding issues which has Cibola County behind schedule and a 12(twelve) month extension on Contract # D19338/1 Control # L600208 is necessary.

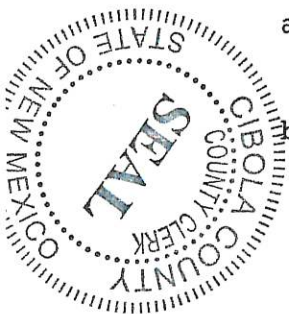
WHEREAS, The total cost of the project will be **\$252,517.00** to be funded in proportional share by the parties hereto of as follows;

- a. New Mexico Department of Transportation's share shall be 75% which is **\$189,388.00.**
- b. Cibola County's proportional share Match Funding shall be 25% which is **\$63,129.00.**

Total project cost is **\$252,517.00.**

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS of CIBOLA COUNTY determines, resolves, and orders as follows:

- a. That the project for this Cooperative agreement is adopted and has a priority standing.
- b. The agreement is hereby being amended to terminate on December 31, 2024, and Cibola County incorporates all the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into the written agreement.
- c. Cibola County to enter into Cooperative Agreement Contract #D19338/1 Control #L600208 through the New Mexico Department of Transportation LGRF project for year 2022-2023 for Pavement, reconstruction, Drainage improvements, Blade & Shape, & Miscellaneous within the control of Cibola County.



Contract No.	<u>D19338/1</u>
Vendor No.	<u>0000047859</u>
Project No.	<u>N/A</u>
Control No.	<u>L600208</u>

**FIRST AMENDMENT TO
LOCAL GOVERNMENT ROAD FUND
COOPERATIVE AGREEMENT**

This **First Amendment** is to the Agreement entered into between the New Mexico Department of Transportation (Department) and the Cibola County (Public Entity). This Amendment is effective as of the date of the last party to sign on the signature page.

RECITALS

Whereas, the Department and the Public Entity entered into an Agreement, Contract No. D19338, on July 8, 2022; and,

Whereas, Section 19 allows for modification of the Agreement by an instrument in writing executed by the parties; and,

Whereas, the Department and the Public Entity want to extend the term of the Agreement to allow for Project completion; and,

Whereas, the parties agree to modify this Agreement.

Now, therefore, the Department and the Public Entity agree as follows:

Section 6, Term, is deleted and replaced with the following:

6. Term.

This Agreement becomes effective upon signature of all parties. The effective date is the date when the last party signed the Agreement on the signature page below. This Agreement terminates on December 31, 2024. In the event an extension to the term is needed, the Public Entity shall provide written notice along with detailed justification to the Department sixty (60) days prior to the expiration date to ensure timely processing of an Amendment.

All other obligations set forth in the Original Agreement shall remain in full force and effect unless expressly amended or modified by this First Amendment.



In Witness Whereof, each party is signing this Agreement on the date stated opposite that party's signature.

New Mexico Department of Transportation

By: _____
Cabinet Secretary or Designee

Date: _____

Approved as to form and legal sufficiency by the New Mexico Department of Transportation's Office of General Counsel

By: _____
Assistant General Counsel

Date: _____

Cibola County

By: *Daniel J. Torrez*
Name: Daniel J. Torrez

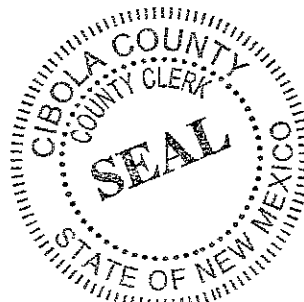
Date: 10.26.2023

Title: Commission Chair

ATTEST:

By: *Michelle E. Dominguez*
Cibola County Clerk

Date: _____



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Michelle E. Dominguez, Cibola County, NM Clerk and Recorder



PASSED, APPROVED and ADOPTED by the governing body at its regular meeting on the 26th day of October, 2023.



ATTEST:

Michelle E Dominguez
Michelle E Dominguez, County Clerk

THE BOARD OF COUNTY COMMISSIONERS:

Daniel J. Torrez
Daniel J. Torrez, Chairman
ABSENT

Martha Garcia, 1st Vice-Chair
Christine Lowery
Christine Lowery, 2nd Vice-Chair

Ralph Lucero, Commissioner

Robert Windhorst, Commissioner

