

Department or Agency Name
History Colorado, the Colorado Historical Society
Department or Agency Number
GCA
Routing Number
APPROVED WAIVER FORM -Amendment #37

CONTRACT AMENDMENT #2018-02-045 A

THIS AMENDMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ by and between the State of Colorado for the use and benefit of the Department of Higher Education, History Colorado, the Colorado Historical Society, 1200 Broadway, Denver, Colorado 80203, hereinafter referred to as the State and/or History Colorado, and the Park County, PO Box 1373, 418 Main Street, Fairplay, Colorado, 80440, hereinafter referred to as the Contractor.

FACTUAL RECITALS

Authority exists in the Law and Funds have been budgeted, appropriated and otherwise made available and a sufficient unencumbered balance thereof remains available for payment; and

Required approval, clearance, and coordination has been accomplished from and with appropriate agencies; and

The Parties entered into a contract dated March 28, 2018, (the "Original Contract"), for SHF Project #2018-02-045, wherein the Contractor agreed to undertake the performance of certain work and services in consideration for which the State agreed to make certain payments; and

The Project Budget is revised as adjustments of budget expenditure amounts exceeded 25% on multiple task line budgets; and

The State and the Contractor both wish to bring the project to completion in order to fulfill the objectives of the Original Contract.

NOW THEREFORE, it is hereby agreed that:

1. Consideration for this amendment to the original contract, C.E. Number CTGG1 2018-1739, Contract Routing Number N/A Approved Waiver Form, dated March 28, 2018, consists of the payments which shall be made pursuant to this amendment and the promises and agreements herein set forth.
2. It is expressly agreed by the parties that this Amendment is supplemental to the original contract, as amended Number #2018-02-045, dated March 28, 2018, referred to as the "original contract," which is, by this reference incorporated herein, that all terms, conditions, and provisions thereof, unless specifically modified herein, are to apply to this amendment as though they were expressly rewritten, incorporated, and included herein.
3. It is agreed the original contract is and shall be modified, altered, and changed in the following respects only:
  - a. Provision #6 of the original contact, ACCOUNTING, the Project Budget tasks are revised as reflected in the attached Revised Exhibit B: Project Budget.
4. The effective date of this amendment is upon approval of the State Controller or May 1, 2019, whichever is later.
5. 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 Original Contract, the provisions of this Amendment, shall in all respects supersede, govern, and control. The "Special Provisions" shall always be controlling over other provisions in the contract or amendments. The representations in the Special Provisions concerning the absence of bribery or corrupt influences and personal interest of State employees are presently reaffirmed.
6. FINANCIAL OBLIGATIONS OF THE STATE PAYABLE AFTER THE CURRENT FISCAL YEAR ARE CONTINGENT UPON FUNDS FOR THAT PURPOSE BEING APPROPRIATED, BUDGETED, AND OTHERWISE MADE AVAILABLE.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day first above written.

\*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:  
(Grant Recipient)

STATE OF COLORADO  
Jared S. Polis, Governor

Park County  
Legal Name of Contracting Entity

BY: \_\_\_\_\_  
Executive Director or Designee  
Steve W Turner

History Colorado

Date: \_\_\_\_\_

Department of Higher Education

STATE HISTORICAL FUND

BY: \_\_\_\_\_  
Director or Designee  
Timothy Stroh, AIA, State Historical Fund

Date: \_\_\_\_\_

WAIVER CONTRACT REVIEWER

BY: \_\_\_\_\_  
Contracts Officer or Designee  
Susan Frawley, State Historical Fund

Date: \_\_\_\_\_

**ALL CONTRACTS MUST BE APPROVED BY THE STATE CONTROLLER**

CRS 24-30-202 requires that 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 performances or for any goods and/or services provided hereunder.

**STATE CONTROLLER**  
**Robert Jaros, CPA, MBA, JD**

BY: \_\_\_\_\_  
Michelle Zale  
History Colorado, Controller

Date: \_\_\_\_\_

Revised, January 5, 2018  
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Approval/Contract: Amendment/Scope of Work/Budget (and Time Extension)

**PROJECT BUDGET**

TASK	AMOUNT
A. Architectural and Structural Engineering Services	\$27,290
B. Preservation Activities	\$208,515
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<b>CONSTRUCTION SUBTOTAL</b>	<b>\$235,805</b>
C. General Conditions	\$46,762
D. Permits	\$1,500
E. Bonding	\$3,928
F. Overhead & Profit	\$54,665
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<b>CONSTRUCTION TOTAL</b>	<b>\$342,660</b>
G. Archaeological Monitoring	\$6,000
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<b>PROJECT SUBTOTAL</b>	<b>\$348,660*</b>
<i>Contingency†</i>	<i>\$13,432</i>

Approved Date	Budget Line Item	Amount Approved	Remaining Contingency*
October 5, 2018	B. Preservation Activities	\$3,290	\$10,142

<b>PROJECT TOTAL</b>	<b>\$362,092</b>
<b>Grant Award (55.23%)</b>	<b>\$200,000</b>
<b>Cash Match (44.77%)</b>	<b>\$162,092</b>

\*Grant payments will be based off **Project Subtotal** amount. Total payments will be Grant Award percentage of **Project Subtotal** up to a maximum of the Grant Award Amount.

† Contingency - Must receive written approval from SHF Staff prior to use.