

**Federal Highway Administration
Federal Lands Highway
REIMBURASBLE AGREEMENT**

DTFH68-14-E-00096

PARTIES TO THE AGREEMENT

| Reimbursing Organization | Organization to be Reimbursed |
|---|---|
| Santa Fe County, New Mexico 102 Grant Avenue P.O. Box 276 Santa Fe County, NM 87504-0276 | Federal Highway Administration Central Federal Lands Highway Division 12300 West Dakota Ave Lakewood, CO 80228 |
| DUNS Number: 053297131 TIN: 85-6000073 | DUNS Number 126129936 |

POINTS OF CONTACT FOR THE AGREEMENT

| Reimbursing Organization Finance Point of Contact | Organization to be Reimbursed Finance Point of Contact |
|---|--|
| Name: Teresa C. Martinez, Finance Director Address: 102 Grant Avenue P.O. Box 276 Santa Fe, NM 87504-0276 Phone: (505) 995-2780 E-mail: tsanchez@co.santa-fe.nm.us | Name: Suzanne Schmidt Address: 12300 West Dakota Ave Lakewood, CO 80228 Phone: 720-963-3356 E-mail: suzanne.schmidt@dot.gov |
| Reimbursing Organization Program Point of Contact | Organization to be Reimbursed Program Point of Contact |
| Name: Lisa Roach Address: Santa Fe County 102 Grant Ave., P.O. Box 276 Santa Fe, New Mexico 87504-0276 Phone: 505-992-9857 E-mail: lroach@santafecountynm.gov | Name: Thomas Puto Address: 12300 West Dakota Ave Lakewood, CO 80228 Phone: 720-963-3728 E-mail: tom.puto@dot.gov |

PERIOD OF PERFORMANCE

From: See date of signature below
To: August 30, 2014

LEGAL AUTHORITY

23 U.S.C. 201 and 204

TOTAL AGREEMENT AMOUNT

TOTAL AGREEMENT AMOUNT: \$10,000.00

PAYMENT TERMS AND SCHEDULE

EFT

DESCRIPTION OF SUPPLIES, SERVICES, AND DELIVERABLES

Approved as to form
Santa Fe County Attorney
By: *[Signature]*
Date: *5/11/14*

See attached SOW

AUTHORIZED APPROVALS

| | |
|--|---|
| For Reimbursing Organization Signature: <i>Katherine White</i> Date: <i>5.27.14</i> Title: <i>County Manager</i> | For Organization to be Reimbursed Signature: <i>[Signature]</i> Date: <i>6/3/2014</i> Title: <i>Division Engineer</i> |
|--|---|

Statement of Work
Project: NM FLAP Trail 77000 (1)
El Camino Real Buckman Trail
Reimbursable Agreement No. : DTFH68-14-E-00096
May 12, 2014

- I. Introduction: Santa Fe County New Mexico will provide funding for development of a scoping report, project agreement and project delivery plan including a design statement of work and project cost estimates to the Federal Highway Administration, Central Federal Lands Highway Division (CFLHD) for the NM FLAP 77000(1), El Camino Real Buckman trail. Santa Fe County shall be referred to as the Requesting Agency and the CFLHD shall be referred to as the Servicing Agency.
- II. Location: El Camino Real Buckman trail, Santa Fe, New Mexico.
- III. Work Required: For the NM FLAP 77000(1) El Camino Real Buckman trail project, as selected by the Programming Decisions Committee (PDC) in the state of New Mexico, develop a scoping report, project agreement and project delivery plan including a design statement of work and project cost estimates for design, construction engineering and construction. Current funding level of commitment from Santa Fe County is for Planning, Preliminary Engineering (design, NEPA, survey, R/W acquisition, etc. work activities) only.

The New Mexico Federal Lands Access Program (FLAP) project scope is to construct 13.25 total miles of multi-use El Camino Real Buckman Trail along County Road 77 and a new trail alignment along County Road 62 and Caja del Rio Road linking two segments of El Camino Real de Tierra Adentro National Historic Trail.

This Agreement does not obligate (commit to the expenditure of) Federal funds nor does it commit the parties to complete the project. This agreement documents the intent of the parties, sets forth the anticipated responsibilities of each in the scoping of the project and commits the Requesting Agency to provide its share of costs in the scoping of the project. The parties understand that any final decision as to design and construction will be made by the PDC after completion of the scoping report, project agreement, project delivery plan and any environmental Santa Felysis required under the National Environmental Policy Act (NEPA). Any decision to proceed with the design and construction of the project will depend on the availability of appropriations and matching funds at the time of obligation and other factors, such as issues raised during the NEPA processes, a natural disaster that changes the need for the project and a change in Congressional authorization.

- IV. Non-Federal Share of Costs: It is estimated that Federal Lands Access Program funding will be used to fund the scoping effort as follows:

Total Scoping report, project agreement and project delivery plan estimated cost is:
\$ 60,000.

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At the completion of the project delivery plan, Santa Fe County will provide funds in the amount of 14.5% of the total Federal Lands Access Program funding required to complete the work in this Agreement. The amount of matching funds provided by Santa Fe County shall not exceed **\$10,000.00**.

The Requesting Agency is not required to reimburse the Servicing Agency for any costs incurred by the Servicing Agency prior to the date of this Agreement.

- V. Period of Performance: All work associated with this agreement will be completed no later than August 30, 2014. The Agency scoping meeting is anticipated to occur first week of June 2014.
- VI. Technical Representative: CFLHD Program Point of Contact for this Agreement is Mr., Thomas Puto, Project Manager and he can be contacted at 720-963-3728 or tom.puto@dot.gov.

The Santa Fe County Program Point of Contact for this Agreement is Ms. Lisa Roach, Community Planner – Open Space and Trails, and she can be contacted at (505) 992-9857.

VII. Roles and Responsibilities

A. FHWA, Central Federal Lands Highway Division will:

- 1) Conduct scoping field review;
- 2) Prepare a Scoping Report;
- 3) Prepare a Project Agreement;
- 4) Prepare a Project Delivery Plan, including design statement of work and project estimate for design, construction engineering and construction;
- 5) Coordinate with the Programming Decisions Committee on final approval of the project scope, schedule and budget; and
- 6) Manage the overall effort on this agreement regarding scope, schedule and budget in coordination with Santa Fe County.

B. Santa Fe County will:

- 1) Provide relevant documents regarding this project to FHWA for use in project development;
- 2) Participate in the field scoping activities;
- 3) Review and consider for approval all documents prepared by FHWA;
- 4) Provide funding as referenced in this document.

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VIII. Financial Administration:

A. **Total Agreement Amount:** Not to exceed \$10,000.00

B. **Funding Citations:** 23 U.S.C. 201 and 204.

C. **Reimbursable Payment:**

The Servicing Agency will bill upon completion of the work in this Agreement. The Servicing Agency is limited to recovery of the matching share of actual costs incurred, as reflected in the invoice provided by the Servicing Agency.

The Servicing Agency shall not incur costs which result in matching funds exceeding the maximum cost stated in this Agreement without authorization by the Requesting Agency in the form of written modification to this agreement.

Upon receipt of the invoice of costs incurred and authorized, the Requesting Agency will issue payment via one of the methods listed below.

D. **Method of Billing:**

The Servicing Agency shall bill the Requesting Agency, in accordance with the payment terms and schedule as agreed upon in the Agreement.

Billing for this Agreement will be upon completion of work and the amount determined at 14.5% of the costs in accordance with the Federal Lands Access Program funding expended on the project.

The Servicing Agency will furnish a final Project Status Report detailing the funding usage on the project and calculations used to determine match funding requirements.

The Servicing Agency requests that these payments be made through the US Treasury's website <https://pay.gov>. Pay.gov can be used to make secure electronic payments to any Federal Government Agencies via credit card or direct debit. Payment shall be submitted referencing the FHWA/CFLHD-ID

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Option 1 (Preferred Method)

- Plastic card or Automatic Clearing House Payment (ACH Direct Debit)

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- Go to Treasury's website – <https://pay.gov>
- Search for Agency Name (Transportation Department)
- Select the appropriate Transportation Agency (Federal Highway Administration)
- Follow the form instructions to make your payment. Note, if making an ACH payment from your bank account, please select ACH Direct Debit as the payment type.

Option 2

- Mail check payment to the following address for Paper Check Conversion (PCC) processing:

Make Check Payable To:
DOT FHWA

Mailing Address:
Enterprise Service Center
Federal Aviation Administration
ATTN: AMZ-340, Mark Richardson
6500 S. MacArthur Blvd., HDQ Rm 285
Oklahoma City, OK 73169

- Notice to customers making payment by check:
 - Please notify Regina Monroe at 720-963-3460 or regina.monroe@dot.gov if mailing a check.
 - When you provide a check as payment you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.
 - When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment and you will not receive your check back from your financial institution.

Privacy Act- A Privacy Act Statement required by 5 U.S.C. § 552a(e)(3) stating our authority for soliciting and collecting the information from your check, and explaining the purposes and routine uses which will be made of your check information, is available on our internet site at (PCCOTC.GOV), or call toll free; at (1-800-624-137 to obtain a copy by mail. Furnishing the check information is voluntary, but a decision not to do so may require you to make payment by some other method,

IX. Modifications:

Any modifications to the Agreement must be made in writing and agreed to by both parties. Such modifications are not binding unless they are in writing and signed by personnel authorized to bind each of the agencies.

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X. Agreement Completion:

When the Requesting Agency has accepted all deliverables, the Servicing Agency will provide a written project evaluation and final accounting of project costs to the Requesting Agency contact.

XI. Termination:

This agreement will terminate upon the date specified in Section V or upon 30 calendar day prior written notification to the other party. If this agreement is terminated by the Requesting Agency its liability shall extend only to pay for its share of the actual and reasonable costs of the items/services rendered and the costs of any non-cancelable obligations incurred in accordance with the terms of this agreement prior to the effective date of termination. If this agreement is terminated by the Servicing Agency its liability shall extend only to the release of its work products and related materials to the Requesting Agency by the effective date of termination.