




COLORADO JUDICIAL DEPARTMENT UNDERFUNDED COURTHOUSE FACILITY COMMISSION	FISCAL YEAR 2019	
STATEMENT OF GRANT AWARD	OURAY COUNTY	

RECIPIENT NAME AND ADDRESS		AWARD NUMBER	
Connie I. Hunt County Administrator Ouray County 541 4 <sup>th</sup> Street, PO Box C Ouray, Colorado 81427		2019 JRNAA UNDR 09	
<b>AWARD DATE:</b>	November 30, 2018	<b>AMOUNT REQUESTED:</b>	\$959,882
<b>AWARD END DATE:</b>	December 31, 2019	<b>AMOUNT AWARDED:</b>	\$609,882
<b>GRANT TYPE:</b>	<input checked="" type="checkbox"/> MATCHING <input type="checkbox"/> MASTER PLANNING	<b>TOTAL PROJECT COST:</b>	<b>\$9,173,193</b>
<b>PRORATED REIMBURSEMENT AMOUNT: 6 %</b>			
<b>GRANT AWARD</b>			
Ouray County is awarded matching funds for the renovation of the existing courthouse facility.			
<b>STATUTORY AUTHORITY FOR THE GRANT</b>			
Section 13-1-301, Colorado Revised Statutes			
<b>GRANT CONDITIONS</b>			
The above grant award is approved subject to such conditions or limitations as are set forth in 2019 Grant Rules and the Conditions of Grant Award.			
<b>JUDICIAL DEPARTMENT</b>		<b>GRANTEE ACCEPTANCE</b>	
Christopher T. Ryan State Court Administrator Colorado Judicial Department		Name: Don Batchelder Position: Chair, Board of County Commissioners County: Ouray	
<b>SIGNATURE OF APPROVING OFFICIAL</b>		<b>SIGNATURE OF AUTHORIZED RECIPIENT</b>	
<b>DATE</b>		December 18, 2018	
		<b>DATE</b>	




COLORADO JUDICIAL DEPARTMENT UNDERFUNDED COURTHOUSE FACILITY COMMISSION	FISCAL YEAR 2019	
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1. This award shall not be effective or enforceable until the Statement of Grant Award is approved and signed by an authorized signatory of recipient and the State Court Administrator (the "Effective Date").
2. The recipient shall use the funds provided under this award to complete the work detailed in recipient's Underfunded Courthouse Facilities Commission Grant Application, attached hereto as Exhibit A, on or before the Award End Date.
3. The Judicial Department shall not be liable to pay or reimburse recipient for any performance hereunder, including, but not limited to costs or expenses incurred, prior to the Effective Date or after the Award End Date.
4. The recipient may request an extension of the Award End Date by submitting a request in writing to the Judicial Department outlining good cause for the extension. The Judicial Department may, in its sole discretion after consultation with the Underfunded Courthouse Facility Commission, grant an extension to the Award End Date. The Judicial Department shall provide timely written notice of its decision to grant or deny the extension request to the recipient.
5. Funds provided under this award shall be used only for eligible costs identified in Exhibit A and in accord with C.R.S. section 13-1-301, et seq. Failure to use funds for eligible expenses or in compliance with the intent of the Underfunded Courthouse Facility Fund may result in revocation of the award, termination of this grant agreement, and return of funds.
6. The maximum amount payable to recipient pursuant to this award is limited to the Amount Awarded as indicated on the Statement of Grant Award to which these conditions are attached.
7. The recipient shall provide county contribution funds as provided in Exhibit A. The recipient agrees that such county contribution funds are available as of the Award Date to be used for the activities of this award.
8. The recipient agrees to provide reimbursement requests for eligible expenses incurred at a frequency to be determined by the recipient, but not more than once per month. Such request shall be submitted using the Reimbursement Request Form attached to the Statement of Grant Award attached hereto as Exhibit B. Reimbursement requests must be supported by pertinent purchasing documentation and accompanied by proof that services have been performed. The Judicial Department shall make payment within 30 days after receipt of valid reimbursement requests from recipient.
9. The recipient agrees to provide programmatic narrative reports detailing the progress of the projects funded by the award, specific project milestones met or deliverables provided, and estimated or actual timeframes for completion of remaining milestones or deliverables as requested by the Judicial Department.
10. Onsite monitoring by the Judicial Department may occur during the Award Period. Onsite monitoring shall include but not be limited to, review of financial records and payroll documents, site visits, and inspection of final work product and/or completed services. The recipient agrees to provide the Judicial Department access to all records, information, and physical locations necessary for the Judicial Department to perform onsite monitoring. The Judicial Department shall provide the recipient advance notice of onsite monitoring visits.


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11. The recipient shall make, keep, maintain, and allow inspection and monitoring by the Judicial Department of a complete file of all records, documents, communications, notes, and other written materials, electronic media files, and communications, pertaining in any manner to the work performed under this award. The recipient shall maintain such records for a period of seven years after the Award End Date.
12. The Judicial Department shall have the right to inspect the recipient's performance at all reasonable times and places during the Award Period. The recipient shall permit the Judicial Department and any other duly authorized agent of a governmental agency having jurisdiction to monitor all activities conducted pursuant to this award, to audit, inspect, examine, excerpt, copy and/or transcribe the recipient's records related to this award to assure compliance with the terms hereof or to evaluate performance hereunder. Monitoring activities controlled by the Judicial Department shall not unduly interfere with the recipient's performance hereunder.
13. At the Judicial Department's sole discretion, payments made to county in error for any reason, including, but not limited to overpayments or improper payments, and unexpended or excess funds received by county, may be recovered from county by deduction from subsequent payments under this Grant or other grants or agreements between the Judicial Department and recipient or by other appropriate methods and collected as a debt due to the State. Such funds shall not be paid to any person or entity other than the State.
14. The recipient and the Judicial Department shall treat the confidential information of each other with the same degree of care and protection they afford to their own confidential information and shall notify the other party immediately if they receive a request or demand from a third party for records or information of the other party.
15. The recipient understands and agrees that funding provided under this award may not be used for any advocacy related services in connection with or related to any current or future ballot measure campaign.
16. If the courthouse facility is listed on the State Register of Historic Properties, Pursuant to Section 24-80.1-104, C.R.S., prior to performing any work on the project funded by this award, recipient agrees to submit the project to the Colorado State Historical Society (the "Society") for review and comment. Comments made by the Society which include specific recommendations to prohibit or alter all or some aspects of the project shall be implemented by recipient, subject to the following:
  - a. If the recipient rejects some or all of the comments of the Society relative to the project, recipient shall be afforded a period of thirty days during which to negotiate a satisfactory agreement with the Society.
  - b. If no agreement is reached or if any party to any such agreement is dissatisfied therewith, an appeal may be made to the Underfunded Facilities Commission, whose decision shall be final.
17. The recipient certifies that funds provided by the Judicial Department under this award will not be used to supplant local funds.
18. The recipient shall comply with the letter and spirit of all applicable federal, state, and local laws and regulations related to the performance of this award, including but not limited to the Colorado

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Antidiscrimination Act of 1957, as amended, and other applicable law respecting discrimination and unfair employment practices.


19. The recipient assures that open, competitive procurement procedures will be followed for all purchases under this award. The recipient shall provide documentation of the competitive procurement procedure followed for any purchase under this award to the Judicial Department upon the Judicial Department's request.
20. This award shall not be deemed or construed to create a partnership or joint venture between the recipient and the Judicial Department. All persons employed by the recipient or recipient's subgrantees shall be considered employees of the recipient or the recipient's subgrantees and shall not be employees of the Judicial Department for any purpose as a result of this award. For purposes of this provision, subgrantees means third-parties, if any, engaged by the recipient to aid in performance of its obligations under this award. The Judicial Department assumes no ownership or liability for any county courthouse or county facility that is the subject of funding under this grant award.
21. The recipient warrants that it possesses the legal authority to enter into this grant award and that it has taken all actions required by its procedures, by-laws, and/or applicable laws to exercise that authority, and to lawfully authorize the signatory signing the Grant Award Notice to execute this grant award and to bind the recipient to its terms. If requested by the Judicial Department, the recipient shall provide the Judicial Department with proof of the recipient's authority to enter into this grant award within 15 days of receiving such request.
22. The recipient shall maintain at all times during the term of this award such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the Colorado Governmental Immunity Act, C.R.S. §24-10-101, et seq., as amended (the "CGIA"). The recipient shall show proof of such insurance satisfactory to the Judicial Department, if requested by the Judicial Department.
23. The recipient shall require each contract with subgrantees, other than those that are public entities within the meaning of the CGIA, providing goods or services in connection with this award to include insurance requirements substantially similar to the following:
  - a. Workers' Compensation Insurance as required by state statute, and Employer's Liability Insurance covering all of subgrantee's employees acting within the course and scope of their employment.
  - b. Commercial General Liability Insurance written on ISO occurrence form CG 00 01 10/93 or equivalent, covering premises operations, fire damage, independent contractors, products and completed operations, blanket contractual liability, personal injury, and advertising liability with minimum limits as follows: (a) \$1,000,000 each occurrence; (b) \$1,000,000 general aggregate; (c) \$1,000,000 products and completed operations aggregate; and (d) \$50,000 any one fire. If any aggregate limit is reduced below \$1,000,000 because of claims made or paid, subgrantee shall immediately obtain additional insurance to restore the full aggregate limit and furnish to Grantee a certificate or other document satisfactory to Grantee showing compliance with this provision.
  - c. Automobile Liability Insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

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- d. The recipient and the Judicial Department shall be named as additional insured on the Commercial General Liability and Automobile Liability Insurance policies.
- e. Coverage required by this terms shall be primary over any insurance or self-insurance program carried by the Judicial Department.
- f. The recipient shall require all insurance policies in any way related to this award and secured and maintained by the recipient's subgrantees to include clauses stating that each carrier shall waive all rights of recovery, under subrogation or otherwise, against the Judicial Department, its agencies, institutions, organizations, officers, agents, employees and volunteers.

For purposes of this provision, subgrantees means third-parties, if any, engaged by the recipient to aid in performance of its obligations under this award.

- 24. If the recipient fails to comply with the terms and conditions of this award, the Judicial Department may (i) terminate or revoke this award in whole or in part; (ii) suspend the recipient's performance with respect to all or any portion of this award pending necessary corrective action as specified by the Judicial Department, during which period of suspension the Judicial Department shall not be liable to reimburse the recipient for costs incurred; (iii) withhold payment to the recipient until corrections in the recipient's performance are satisfactorily made and completed; (iv) demand removal of any of the recipient's subgrantees whom the Judicial Department deems incompetent, careless, insubordinate, unsuitable, or other unacceptable, or whose continued relation to this award is deemed to be contrary to the public interest; and (v) pursue any other remedy available by law, including requiring the return of improperly expended funds.
- 25. If, within a 10-year period beginning on the Effective Date, the facilities to be improved using funds provided under this award cease to be used for the same purposes as identified in Exhibit A, the Judicial Department may, at its sole discretion, recover from the recipient any or all funds provided under this award by deduction from subsequent payments under this Grant or other grants or agreements between the Judicial Department and recipient or by other appropriate methods and collected as a debt due to the State.
- 26. In the event that funding for any activity established by this award is discontinued or decreased by the State of Colorado, the Judicial Department may terminate this award or reduce its scope without penalty effective immediately upon receipt of notice of such termination or reduction. In the event of such termination or reduction, the recipient shall be compensated for the value of services actually and satisfactorily performed, if any, prior to the effective date of the termination or reduction.
- 27. The construction, interpretation and performance of this award shall be governed by the laws of the State of Colorado, and any claim arising out of or relating to this award shall be brought exclusively in the state courts of Colorado.
- 28. Enforcement of all rights and obligations hereunder are reserved solely to the Judicial Department and recipient. Any services or benefits which third parties receive as a result of this Agreement are incidental and do not create any rights for such third parties.

COLORADO JUDICIAL DEPARTMENT UNDERFUNDED COURTHOUSE FACILITY COMMISSION	APPLICATIONS DUE: OCTOBER 26, 2018	
FISCAL YEAR 2019 GRANT APPLICATION		

**1. Applicant**

County:	Ouray County	Address:	541 4 <sup>th</sup> Street, P.O. Box C
		City:	Ouray
		Phone:	970-325-7263

Grant Applicant Contacts:

County Administrator		Judicial District Representative	
Name:	Connie I. Hunt	Name:	Tammy M. Carroll
Title:	County Administrator, Ouray County	Title:	District Administrator, 7 <sup>th</sup> Judicial District
Phone:	970-325-7263	Phone:	970-252-4308
E mail:	chunt@ouraycountyco.gov	E mail:	Tammy.carroll@judicial.state.co.us


**2. Project Type**

<input type="checkbox"/>	<u>Master Planning</u> : Projects involve entering into contracts for professional design services or engineering consulting to determine construction or remodeling options, feasibility, or cost estimates for the proposed courthouse project. Master planning does not include creation of or drafting of construction documents.
<input checked="" type="checkbox"/>	<u>Matching Funds</u> : Projects involve seeking funds to provide for required matching funds for, or leveraging alternative grant program awarded funds. Matching funds shall be awarded to provide funds required by the awarding entity.

**3. Grant Request**

	\$	<b>959,882.00</b>	Grant Request (Please see <b>Attachment A</b> )
	\$	6,381,236.00	Funds Contributed by Applicant *
	\$	1,832,075.00	Funds received from other source towards project **
	\$	9,173,193.00	Total Cost

Provide information if you are seeking funds from an alternative source and are requesting Underfunded Courthouse Facility grant funds as matching funds. Attach supporting documentation as necessary to provide the Commission with sufficient information regarding the total project costs and funding associated with this application.

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\* Funds contributed by the applicant (Ouray County) is attributable to a voter approved .55% temporary sales tax for this project.

\*\* Funds received from other source towards the project include \$1,000,000 from DOLA and \$832,075 from a 2018 Underfunded Courthouse Commission grant.

#### **4. Project Description**

Provide a detailed description of the project. This section demonstrates the appropriateness of the project and the steps necessary to complete the project. Review the Underfunded Courthouse Facility Commission Grant Rules to ensure that the proposed project meets the intent and purpose of the program.


*The Commission is very interested in exhibits and other attachments to aid in the review and selection of grant applications. Provide additional supporting documentation, photos, professional services reports, etc., that can be used by the Commission during the review process.*

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FISCAL YEAR 2019 GRANT APPLICATION		

Ouray County is a recipient of an Underfunded Courthouse Commission Grant from the 2018 grant cycle for its Courthouse Restoration / New Construction Project. A Contractor has been selected and the County worked with its project team (Architect, Contractor, and Owner's Representative) to refine the Guaranteed Maximum Price (GMP). Consequentially, subcontractor prices for specific restoration items have increased due to increases in construction volume and various factors within the Courthouse project and historic scope as follows: 1) Masonry testing of the exterior brick for paint removal and restoration of the historic natural finish; 2) Elements associated with the historic courtroom finishes, seating restorations, and replication of an original stenciling that borders the top section of the walls near the ceiling of the courtroom adorning its magnificence like a crown; 3) Municipal code requirements for site work; 4) Owner's Representative services; and 5) Architectural services associated with a negotiated contacted in February, 2018.


- 1) Initial estimates for the brick restoration were valued at approximately \$300,000. Upon detailed masonry testing regarding courthouse paint removal, two applications of solution were required for removal of paint; bringing the estimated brick restoration to approximately \$800,122. An additional **\$500,122** is needed to correctly restore the painted exterior brick. Extra care is necessary to ensure protection of the very fragile, locally made brick that were used to construct the courthouse.
- 2) In 2003, a courthouse mini-grant was received from the State Historic Fund to update future phases of courthouse restoration. As a part of this grant, a stencil analysis was completed to decipher the historic finishes of the courtroom. Much to our surprise, a beautiful stencil pattern was uncovered. Within the Courthouse Courtroom the expectations and vision has been to fully restore the original 1888 stenciling which adorns the detailed coffered courtroom ceiling. The historic Courtroom seating is an exceptionally unique historic feature of our Courthouse and is in need of refurbishment. Additionally, the woodwork, doors, trim, and balustrade between judge's area and spectator is in need of repair and refurbishment. Due to essential fictional site and utilities work from City expectations and existing conditions, this increased scope has placed pressure on decorative aspects of the project. In round figures the decorative scope of the Courtroom is estimated at **\$213,299**.
- 3) Municipal Code requirements have increased the cost of County engineering services for additional design development associated with landscaping, drainage, parking, grading and additional water tap configuration in the amount of **\$37,461**.
- 4) Engagement of an Owner's Representative was not included in the original project costs, but is essential to project coordination and oversight in the amount of **\$150,000**.
- 5) Architectural Services increased based upon negotiated price over the original estimated price in the original grant application in the amount of **\$59,000**.

Please see **Attachment A, Revised Project Costs** and **Attachment B, Photos** displaying the exterior brick and masonry and the interior courtroom woodwork and stenciling conditions.



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FISCAL YEAR 2019 GRANT APPLICATION		

5. Project Timeline	
Create a list with key project milestones with corresponding month and year showing how the project will be completed. *Please see <b><u>Attachment C, Project Schedule</u></b>	
Date	Activity
09-24-18	30% Construction Documents
10-15-18	Contractor Pricing
11-26-18	60% Construction Documents
12-24-18	Project Permitting
01-21-19	Construction Begins

6. Acknowledgement	
In accordance with Section 13-3-105 (2), C.R.S., grants from the fund may only be awarded to a county when: (I) The county has demonstrated good faith in attempting to resolve the issues before seeking a grant from the fund. Describe the actions taken by the county to resolve the issues causing the application for grant funds.	
<p>Ouray County has demonstrated a considerable amount of “good faith” toward the many and diverse aspects of the Ouray County Courthouse. For two decades the County has worked diligently in collaboration with the State Historic Fund to conduct a Courthouse Historic Structure Assessment inclusive of architectural drawings, and implemented improvements to this beautiful historic building. Total restoration and new construction improvements to the Ouray County Courthouse from 1995 to present total \$1,608,221 of which Ouray County has contributed \$655,169. Phase A-1 of the Ouray County Courthouse restoration / new construction project was the largest, totaling \$965,188. For nearly 130 years, the Courthouse has stood at 541 4<sup>th</sup> Street within the City of Ouray and has served well to ensure that the whole of Ouray County and its citizenry has a place to conduct law and order and for continuation of essential County and judiciary services.</p> <p>In the November 7, 2017 election, voters of Ouray County were asked to approve an increase in the County sales tax by .55% for not more than 20 years for the purpose of financing, constructing, repairing, rehabilitating, and renovating the Ouray County Courthouse, its annex, administrative offices and archival space; and to provide temporary County office space during construction including relocation and moving costs. The question passed with 59% voting in favor.</p> <p>Much work has been completed to-date. The County has hired a Contractor and Construction is estimated to begin in January of 2019. As the courthouse is vacated of personnel, it is anticipated that restoration and construction will proceed unimpeded. The hope is for project completion to be slated for early 2020.</p>	
In accordance with Section 13-3-105 (2), C.R.S., grants from the fund may only be awarded to a county when: (II) The county has agreed to disclose pertinent financial statements to the Commission or the State Court Administrator for review. Provide the contact information for the county official responsible for providing this information.	
Connie I. Hunt, County Administrator	970-325-7263
Name & Title	Phone

COLORADO JUDICIAL DEPARTMENT UNDERFUNDED COURTHOUSE FACILITY COMMISSION	APPLICATIONS DUE: OCTOBER 26, 2018	
FISCAL YEAR 2019 GRANT APPLICATION		

Provide the financial information for the county based on Calendar Year 2017 year-end totals.	
Total Budget Expenditures (General Fund + All Special Funds)	\$9,385,329.28
General Fund Expenditures	\$4,009,281.86
General Fund Balance	\$ 681,531.61
General Fund Balance (Uncommitted)	\$ 681,531.61 (included in the uncommitted fund balance is three months operating as per County policy)


	10/22/18
Chief Judge	Date
	October 23, 2018
Board of County Commissioners	Date

The Commission is scheduled to meet on November 30, 2018 to review the applications. Applicants will be afforded time to present their application to the Commission on the morning of November 30, 2018. Presentations need not be made in person. Please contact Marty Galvin [marty.galvin@judicial.state.co.us](mailto:marty.galvin@judicial.state.co.us) to schedule your presentation.

Submit one (1) complete hard copy and one (1) complete electronic copy via disc or flash drive along with attachments and supporting documentation to the following:

Underfunded Courthouse Facility Commission  
Office of the State Court Administrator  
1300 Broadway, Suite 1200  
Denver, CO 80203

Application Due:  
October 26, 2018  
5:00 pm

COLORADO JUDICIAL DEPARTMENT UNDERFUNDED COURTHOUSE FACILITY COMMISSION	FISCAL YEAR 2019	
REIMBURSEMENT REQUEST	OURAY COUNTY	

RECIPIENT NAME AND ADDRESS		AWARD NUMBER	
Connie I. Hunt County Administrator Ouray County 541 4 <sup>th</sup> Street, PO Box C Ouray, Colorado 81427		2019 JRNAA UNDR 09	
<b>AWARD DATE:</b>	November 30, 2018	<b>AMOUNT REQUESTED:</b>	\$959,882
<b>AWARD END DATE:</b>	December 31, 2019	<b>AMOUNT AWARDED:</b>	\$609,882
REIMBURSEMENT REQUEST			
<i>(Please provide a description of the reimbursement request and attach appropriate supporting documentation.)</i>			
Grants funds awarded as matching funds shall be reimbursed to the county for actual expenses incurred based on the prorated amount of awarded grant funds as a percentage of the total project costs as identified in the original application and the Statement of Grant Award.			
<b>PRORATED REIMBURSEMENT AMOUNT: 6 % (MATCHING FUNDS ONLY)</b>			
<b>TOTAL PROJECT COST TO DATE</b>		\$	
<b>TOTAL GRANT AWARD FUNDING RECEIVED TO DATE</b>		\$	
<b>CURRENT REIMBURSEMENT REQUEST AMOUNT</b>		\$	
		<b>JAAA-29Y0-SCAO-JRNAAUNDR-Z000-5120</b> <b>LOC: OURA</b> <b>Address Code: CN004</b> <b>CORE VC#: VC-14280</b>	
COUNTY ADMINISTRATOR SIGNATURE		CORE CODING	
DATE		JUDICIAL APPROVAL	
I certify that (i) the request for funds contained herein is a true and accurate reflection of an expenditure (or expenditures) incurred for eligible costs identified in the grant award; (ii) the expenditure has not otherwise been reimbursed; and (iii) this request is being made in compliance with the terms and conditions of the grant award.			