

SALT LAKE COUNTY RESOLUTION

RESOLUTION NO. _____, 2020

**RESOLUTION APPROVING AN AGREEMENT BETWEEN SALT LAKE COUNTY, THE
FEDERAL HIGHWAY ADMINISTRATION-CENTRAL FEDERAL LANDS HIGHWAY
DIVISION, AND THE US FOREST SERVICE FOR IMPROVEMENTS ON MILL CREEK
CANYON ROAD FROM 3800 SOUTH WASATCH BOULEVARD TO THE UPPER BIG
WATER TRAILHEAD.**

WHEREAS, Salt Lake County (“County”), the Federal Highway Administration-Central Federal Lands Highway Division (“FHWA-CFLHD”), and the United States Forest Service (“USFS”) want to enter into an Agreement (Exhibit A) to improve access to the Uinta-Wasatch-Cache Nation Forest (the “improvements”);

WHEREAS, the scope of the project involves the following improvements: improving ten miles of Mill Creek Canyon Road from 3800 South Wasatch Boulevard to the Upper Big Water Trailhead; widening the road and including bicycle lanes as appropriate and feasible; redesigning parking to meet USFS standards; enhancing crosswalk and pedestrian safety; improving drainage; and incorporating future transit facilities into the project;

WHEREAS, as part of the Agreement, the County shall include ten thousand dollars (\$10,000.00) to meet match requirements for the improvements; and

WHEREAS, the Federal Lands Access Program shall include fifty thousand dollars (\$50,000.00) to fund the improvements.

NOW, THEREFORE, BE IT RESOLVED by the Salt Lake County Council, that it approves and allows for the appropriation of Ten Thousand Dollars (\$10,000.00) in matching funds to be used for the purposes set forth herein and consistent with the attached Exhibit A.

APPROVED and ADOPTED this _____ day of _____, 2020.

SALT LAKE COUNTY COUNCIL

By: _____
Max Burdick, Chair

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Ghorbani voting	_____
Council Member Granato voting	_____
Council Member Jensen voting	_____
Council Member Newton voting	_____
Council Member Snelgrove voting	_____

ATTEST:

Sherrie Swensen,
Salt Lake County Clerk

Approved as to Form and Legality:

SALT LAKE COUNTY DISTRICT ATTORNEY

By _____
Senior Attorney

Exhibit A

*Federal Land Access Program Project
Memorandum of Agreement
and
Fund Transfer Agreement*

FEDERAL LANDS ACCESS PROGRAM
PROJECT MEMORANDUM OF AGREEMENT
APRIL 30, 2020

Project / Facility Name: UT FLAP SLA 10(1) MILL CREEK CANYON ROAD

Project Route: Mill Creek Canyon Road from 3800 S. Wasatch Boulevard (MP 0) to the Upper Big Water Trailhead (MP 10)

State: UT

County/or Agency providing funding: Salt Lake County, Utah

Owner of Federal Lands to which the Project Provides Access: U.S. Forest Service (USFS)

Entity with Title or Maintenance Responsibility for Facility: Salt Lake County, Utah

Type of Work:

Preliminary Engineering: Scoping

This Agreement does not obligate (commit to) the expenditure of Federal funds nor does it commit the parties to complete the project. Rather, this Agreement sets forth the respective responsibilities as the project proceeds through the project development process.

Parties to this Agreement: Federal Highway Administration-Central Federal Lands Highway Division (FHWA-CFLHD); Salt Lake County; U.S. Forest Service (USFS)

The Program Decision Committee approved this project for scoping on:

4/1/2020

Date

AGREED:

(signature from Deputy Mayor Catherine Kanter)

xxxxxx

Salt Lake County

Date

Senior Attorney, Salt Lake County District Attorney

(signature from USDA Forest Supervisor)

xxxxxx

USFS

Date

Judy Salomonson
Chief of Business Operations
FHWA-CFLHD

Date

FEDERAL LANDS ACCESS PROGRAM
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A. PURPOSE OF THIS AGREEMENT

This Agreement documents the intent of the parties and sets forth the anticipated responsibilities of each party in the development, construction, and future maintenance of the subject project. The purpose of the Agreement is to identify and assign responsibilities for the environmental analysis, design, right-of-way, utilities, acquisition and construction as appropriate for this programmed project, and to ensure maintenance of the facility for public use if improvements are made. The parties understand that any final decision as to design or construction will not be made until after the environmental analysis required under the National Environmental Policy Act (NEPA) is completed (this does not prevent the parties from assigning proposed design criteria to be studied in the NEPA process.) Any decision to proceed with the design and construction of the project will depend on the availability of appropriations at the time of obligation and other factors, such as issues raised during the NEPA process, a natural disaster that changes the need for the project, a change in Congressional direction, or other relevant factors.

B. AUTHORITY

This Agreement is entered into between the signatory parties pursuant to the provisions of 23 U.S.C. 204.

C. PROJECT BACKGROUND/SCOPE

Purpose: The purpose of this project is to improve access to the Uinta-Wasatch-Cache National Forest.

Scope: The scope of this project includes:

- Improving 10 miles of Mill Creek Canyon Road from 3800 S. Wasatch Boulevard (MP 0) to the Upper Big Water Trailhead (MP 10).
- Widening to 29 feet, which includes a 5' uphill bike lane in the lower canyon and where possible in the upper canyon.
- Redesign parking to USFS standards.
- Enhance crosswalk and pedestrian safety.
- Improve drainage.
- Incorporate future transit facilities into project.

D. PROJECT BUDGET

Item	Estimated Cost	Comments
Scoping	\$60,000	
Total	\$60,000	

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E. ROLES AND RESPONSIBILITIES

Responsible Party	Product/Service/Role	Comments
FHWA-CFLHD	<ul style="list-style-type: none">• Preliminary engineering towards the development of a Scoping Summary and Project Development Plan (PDP)	
Salt Lake County	<ul style="list-style-type: none">• Attend reviews and meetings• Provide in a timely manner available data as requested by FHWA	
USFS	<ul style="list-style-type: none">• Attend reviews and meetings• Provide in a timely manner available data as requested by FHWA	

F. ROLES AND RESPONSIBILITIES—SCHEDULE

Responsible Lead	Product/Service/Role	Schedule Finish	Comments
FHWA-CFLHD	Scoping	2021	Project Delivery Plan Development

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G. FUNDING

Funding Source	Estimated Funding	Comments
Federal Lands Access Program	\$50,000	
Salt Lake County	\$10,000	
Total	\$60,000	

If during implementation of the project it is determined that the total project cost exceeds \$60,000, the Central Federal Lands Highway Division, the Salt Lake County, and USFS will either mutually agree to reduce the scope of the project, or execute a modification to this agreement to change funding amounts.

H. MATCHING SHARE REQUIREMENTS

The Salt Lake County will provide \$10,000 to meet match requirements.

Matching or cost sharing requirements will be satisfied following the obligation of funds to the project as detailed above in Section G.

I. PROJECT TEAM MEMBERS—POINTS OF CONTACT

The following table provides the points of contact for this project. They are to be the first persons to deal with any issues or questions that arise over the implementation of each party's role and responsibility for this agreement.

Name/Title	Organization	Phone Number/Email
Helen Peters	Salt Lake County	385-468-4860 HPeters@slco.org
xxxx	USFS	(xxx) xxx-xxx xxxxxx@xxx
Braden Peters FHWA Project Manager	FHWA- CFLHD	(720) 963-3397 braden.peters@dot.gov

J. CHANGES/AMENDMENTS/ADDENDUMS

The agreement may be modified, amended, or have addendums added by mutual agreement of all parties. The change, amendment, or addendum must be in writing and executed by all of the parties.

The types of changes envisioned include, but are not limited to, changes that significantly impact scope, schedule, or budget; changes to the local match, either in type or responsibility; changes that alter the level of effort or responsibilities of a party. The parties commit to consider suggested changes in good faith. Failure to reach agreement on changes may be cause for termination of this agreement.

A change in the composition of the project team members does not require the agreement to be amended.

FEDERAL LANDS ACCESS PROGRAM
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It is the responsibility of the project team members to recognize when changes are needed and to make timely notification to their management in order to avoid project delivery delays.

K. ISSUE RESOLUTION PROCEDURES MATRIX

Issues should be resolved at the lowest level possible. The issue should be clearly defined in writing and understood by all parties. Escalating to the next level can be requested by any party. When an issue is resolved, the decision will be communicated to all levels below.

FHWA	Salt Lake County	USFS	Time
Braden Peters Project Manager	Helen Peters Project Manager	xxxx	30 days
Wendy Longley Project Management Branch Chief	Ryan Perry Division Director	xxxx	60 days
Curtis Scott, Chief of Engineering	Dina Blaes Director of Regional Development	xxxx	90 days

L. TERMINATION

This agreement may be terminated by mutual written consent of all parties. This agreement may also be terminated if either the NEPA process or funding availability requires a change and the parties are not able to agree to the change. Any termination of this agreement shall not prejudice any rights or obligations accrued to the parties prior to termination. If Federal Access funds have been expended prior to termination, the party responsible for the match agrees to provide a match in the applicable percentage of the total amount expended on the project prior to the termination.

**FEDERAL HIGHWAY ADMINISTRATION
FEDERAL LANDS HIGHWAY**

FUNDS TRANSFER AGREEMENT

FHWA Agreement No.: 6982AF-20-K-500029
UT FLAP SLA 10(1) MILL CREEK CANYON ROAD
April 30, 2020

Agency providing funding: Salt Lake County

Agreement amount: \$10,000.00

Period of Performance: From date of signature below to July 1, 2023

Agency receiving funding: Central Federal Lands Highway Division (CFLHD)

This Funds Transfer Agreement (FTA) is to confirm that Salt Lake County has committed to provide, through electronic funds transfer, \$10,000.00 to CFLHD for the UT FLAP SLA 10(1) MILL CREEK CANYON ROAD project to meet the matching requirements and all conditions set forth in the Memorandum of Agreement (MOA) dated April 30, 2020 and any future modifications to the MOA.

FUNDS TRANSFER SUMMARY					
Phase	Amount	Due	Received	Modification #	Comment
Scoping	\$10,000.00	8/1/2020			
Total:	\$10,000.00				

AGENCY FINANCIAL AND CONTACT INFORMATION		
	Salt Lake County	Central Federal Lands Highway Division
DUNS #	[xx-xxx-xxx]	126-129-936
Financial Contact Information		
Name	Robert Trujillo	Suzanne Schmidt
Phone	385-468-4897	(720) 963-3356
E-mail	RTrujillo@slco.org	Suzanne.schmidt@dot.gov
Address	2001 South State Street, Suite S2-100 P.O. Box 144575 Salt Lake City, UT 84114-4575	12300 W. Dakota Ave. Lakewood, CO 80228
Project Contact Information		
Name	Helen Peters	Braden Peters
Phone	385-468-4860	(720) 963-3397
E-mail	HPeters@slco.org	braden.peters@dot.gov

Regardless of the estimated costs stated in the MOA, Salt Lake County will provide 6.77% of the total Federal Lands Access Program cost required for the project, or \$10,000, whichever is greater, through the scoping effort.

CFLHD 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.

**FEDERAL HIGHWAY ADMINISTRATION
FEDERAL LANDS HIGHWAY**

FUNDS TRANSFER AGREEMENT

FHWA Agreement No.: 6982AF-20-K-500029
UT FLAP SLA 10(1) MILL CREEK CANYON ROAD
April 30, 2020

<hr/> Catherine Kanter Salt Lake County Deputy Mayor	Date	<hr/> Contracting Officer Central Federal Lands Highway Division	Date
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Senior Attorney, Salt Lake County District Attorney

CFLHD 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 Agreement Number.

Option 1 (Preferred Method)

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

- 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-324/HQ Room 181
6500 S. MacArthur Blvd.
Oklahoma City, OK 73169

Notice to customers making payment by check:

- Please notify cfl.finance@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 from our internet site at:

https://www.fiscal.treasury.gov/fsservices/gov/rvnColl/otcNet/rvnColl_otcnet.htm

or call toll free: at 1-866-945-7920 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.