

Federal Award ID 07-79-07920; URI: 119309
JOINT GRANT MANAGEMENT AGREEMENT

THIS JOINT GRANT MANAGEMENT AGREEMENT (hereinafter the “Agreement”) is entered into this 19th day of March, 2024, by and between *ECOTOPIA*, an Arizona non-profit corporation d/b/a *Bisbee Bikeways* (“BB”) and the *City of Bisbee*, an Arizona municipal corporation (the “City”) for joint management of the EDA ARPA grant awarded for the *Lavender Pit shared use path* - Federal Award ID 07-79-07920; URI: 119309 (hereinafter the “Project”). The City and BB may hereinafter be referred to individually as a “Party” or collectively as the “Parties.”

RECITALS

WHEREAS, the Project will be located on State Route (SR) 80, which is operated by Arizona Department of Transportation (ADOT), and located on Freeport McMoRan land.

WHEREAS, an IGA between ADOT and the City has outlined maintenance responsibilities, and has been submitted to the EDA.

WHEREAS, the Special Award Conditions of the EDA grant for the Project designate the City as the lead grantee.

WHEREAS, the Special Award Conditions further require the Parties to have a joint grant management agreement in place prior to disbursement of grant award funds.

NOW, THEREFORE, for and in consideration of these premises and the mutual covenants herein contained, it is agreed by and between the parties hereto as follows:

AGREEMENT

Joint Grant Management and Responsibilities for the Project:

- i. The BB Project Manager (“PM”), City Public Works Director, Public Works Operations Manager, City Manager, City Planner, City Finance Director, City Attorney, and other City staff, and hired contractors, shall work together towards the completion of this Project as outlined in the “Special Award Conditions” (attached), “Form CD-451” (attached) and the “Lavender Pit Project Scope” (attached), and any approved amendments to these documents.

All activities, materials and information needed to complete this Project within the agreed upon project development time schedule (construction beginning date of 9/19/25 and construction completion date of 9/19/26) shall be executed in a timely manner so as to avoid revocation of this award. The “Lavender Pit Project Scope” may need to be updated periodically by the PM as delays or expedited milestones occur.

- ii. The PM will be responsible for filing the quarterly EDA Project reports. All City staff including the Public Works Director, City Planner, City Attorney and City Manager, and all contractors hired by the City for this project such as the Resident Engineer/ Inspector will provide information, and review the reports as needed in a timely manner so the reports can be submitted within the time schedule outlined in the Special Award Conditions (December 31, March 31, June 30, September 30).
- iii. The City Finance Department will be responsible for filing the semi-annual project financial reports (March 31, September 30) and the Final Financial Report (Form SF-425).
- iv. The City Finance Department will file the proper paperwork for requesting funds and will receive and distribute the EDA grant funds. This includes funds for all personnel required to complete the project such as contractors hired by the City, City staff, and BB staff.

As outlined in the letters of commitment submitted with this grant proposal, BB is responsible for a cash match of \$31,335.67, and an in-kind contribution of \$5,779.33. BB will distribute the cash match of \$31,335.67 to the City in advance of all payments. The City is responsible for an in-kind contribution of \$2,748.00 and will distribute the donated cash match of \$10,000.00 from the local anonymous donor. During the disbursement of funds, the City Finance Department will determine the amount of the respective matching shares and distribute the match accordingly when paying each contractor.

- v. During the design phase, the PM will act as the main point of contact for this Project, and continue to facilitate communication between the City, EDA, ADOT, the contracted engineering firm and other stakeholders as needed. The PM shall work with the City Public Works Department to monitor and facilitate progress in contracting the engineering firm, ensuring the required timeline for design is followed, and ensuring that the community input received in the feasibility study is incorporated into the design of the Project.

The PM will send out periodic updates to the public through the BB newsletter, and BB Facebook page. The City library staff will link the BB updates to their newsletter and the library and City Facebook pages.

The City will be responsible for hiring a Resident Engineer/ Inspector (“RE”) who will review the design plans at 30%, 60%, 90%, 100% completion and any other related design review as needed. The RE will also review invoices and ensure compliance with the contracted engineering firm’s scope and fee.

The City will be responsible for completing a Project Inspection Agreement that is satisfactory to the EDA (as outlined in SAC 25).

The PM, RE, Public Works Department, Finance Department will work together to ensure that the budget is being followed.

- vi. During the construction phase, the PM will continue to act as the main point of contact with the EDA as the Grant Administrator, and will continue to monitor the timeline of the

Project, ensuring that all milestones are completed as outlined. The PM will continue to submit the quarterly progress reports with input from the RE and City Staff. The City staff and RE will complete tasks and communications in a timely manner as requested by the PM to fulfill the granting agency's conditions.

The City is responsible for bidding, award, and management of the construction contract for the Project. The City's Public Works Department will work together with the PM, and RE to develop an Invitation For Bid ("IFB") for the construction contract to be presented to the City Council for approval prior to the construction contract being awarded.

As construction commences, the RE will become the main contact between the PM, City, ADOT, the engineering firm and the construction contractor.

The RE will be responsible for inspecting the construction and ensuring that it is following the final design of the contracted engineering firm. The RE will communicate between the City, and ADOT, and the PM while addressing the special award conditions related to construction activity to be submitted in the EDA quarterly progress reports. The RE will ensure that the contractor is following the budget and timeline submitted in their bid proposal. Any change orders requests will be reviewed by the RE, PM, the City and ADOT.

With input from the RE, the PM will send out periodic updates to the public through the quarterly BB newsletter, and BB Facebook page. The City library staff will link the BB updates to their newsletter and the library and City Facebook pages.

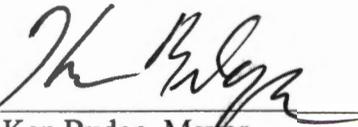
- vii. The City Attorney will complete Parts Two and Three of the "Site Certificate Checklist" provided by the EDA and be available, as needed, for legal inquiries related to this Project. If the City Attorney cannot provide information to the PM because of attorney client privilege then he will convey his legal interpretation to the City Public Works Department who will let the PM know in a timely manner concerning necessary information, so as to not hold up the progress of completing the milestones laid out in the Project scope.
- viii. The PM, with the input and approval from the City and RE, shall prepare and submit the Project closeout documents and any required program reports, except the final financial report, which shall be prepared by the City.
- ix. As provided for in the IGA between the City and ADOT (attached), the City will be responsible for the maintenance and repairs of the Project improvements upon completion of the Project.
- x. The PM, with the input and approval from the City, shall prepare and submit any necessary reports on program performance measures and outcomes, in such form and intervals as may be prescribed by EDA, including, but not limited to, the required job creation/retention and private investment leverage reports at three (3), six (6), and nine (9) years after EDA investment.

- xi. The City will prepare and submit any necessary real property reports.
- xii. As the Lead Recipient, the City will be ultimately responsible for all necessary information and submission of all reports required to be submitted to EDA pursuant to the Award.

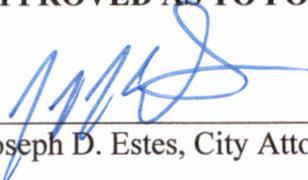
The Parties shall promptly notify EDA of any changes to this Agreement.

IN WITNESS WHEREOF, the Parties hereto have entered into this Joint Grant Management Agreement on the date first written above.

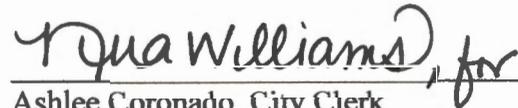
CITY OF BISBEE

By: 
Ken Budge, Mayor

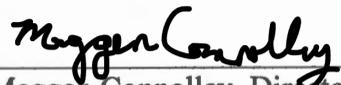
APPROVED AS TO FORM:


Joseph D. Estes, City Attorney

ATTEST:

, for
Ashlee Coronado, City Clerk

ECOTOPIA d/b/a BISBEE BIKEWAYS

By: 
Meggen Connolly, Director