



Joanna VALENCIA <joanna.valencia@multco.us>

Re: TGM IGA- Finalize by Thursday?

Matthew RYAN <matthew.o.ryan@multco.us>
To: Joanna VALENCIA <joanna.valencia@multco.us>
Cc: Brian VINCENT <brian.s.vincent@multco.us>

Wed, Oct 8, 2014 at 11:06 AM

Joanna,
This email is for County use only, please don't forward to outside parties.

I have reviewed the revised IGA that was sent with your email. With respect to my comments nos 1-4 the ODOT responses below are still inadequate to address the issues I raised initially. ODOT could have simply agreed to address the language discrepancies noted. The rationale that was evident in the ODOT and AG comments to me seemed to be, well the parties know this or that we don't need to fix the language, as opposed to clearly making the language say what you mean. For example, my comment 3, a simple tweak to allow for the language between the provisions to make clear would have fixed the inconsistency about ODOT's ability to terminate funding. That said the choice to move forward to accept this grant with the risk of uncertainty or problems because of the discrepancies are probably small and its the County's choice to accept that risk.

With respect to the remaining comments and edits, with the exception of the revision added at Page 15, Exhibit A in response to my comment no. 6, the other edits marginally address the concerns. Again its the County's choice to accept the risk the language presents. With respect to the comment no. 6 issue, I have prepared a revision of the section to better provide at least some process if or when a claim of non-cooperation is raised against the County.

The attached draft contains all the revisions, feel free to chair this draft with ODOT. Subject to the points made herein and the understanding the County accepts these conditions, the attached IGA has been reviewed and is approved for submission to the BCC for its consideration.

Matthew O. Ryan

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