

GRANT AMENDMENT #1

SIGNATURE AND COVER PAGE

State Agency Electronic Recording Technology Board (ERTB), Colorado Department of State (CDOS)	Original Grant Number Grant CT, VAAA, ERTB, 2024-3795
Grantee Board of County Commissioners of Yuma County	Amendment Grant Number Grant CT, VAAA, ERTB, 2024-3795 v2
Grant Agreement Maximum Amount State Fiscal Year 2023-2024 \$52,972.00	Grant Performance Beginning Date April 8, 2024
Total Grant Amount for All State Fiscal Years \$52,972.00	Current Grant Expiration Date June 30, 2026

THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT

Each person signing this Amendment represents and warrants that he or she is duly authorized to execute this Amendment and to bind the Party authorizing his or her signature.

<p style="text-align: center;">YUMA COUNTY Board of County Commissioners of Yuma County</p> <p>DocuSigned by:  <small>44D05AD6631F48C</small></p> <p>By: Michael Leerar, Chairman, Board of Commissioners</p> <p>Date: <u>April 19, 2024</u></p>	<p style="text-align: center;">STATE OF COLORADO Jared S. Polis, Governor Jena Griswold, Secretary of State Electronic Recording Technology Board (ERTB)</p> <p>DocuSigned by:  <small>7C7BA4DE09A543E</small></p> <p>By: Christopher P. Beall, Treasurer</p> <p>Date: <u>April 19, 2024</u></p>
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In accordance with §24-30-202 C.R.S., this Amendment is not valid until signed and dated below by the State Controller or an authorized delegate.

<p style="text-align: center;">STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>DocuSigned by:  <small>66856896CC1A43A</small></p> <p>By: <u>Nathan Manley</u> Nathan Manley, Controller Delegate</p> <p style="text-align: right;">Amendment Effective Date: <u>April 23, 2024</u></p>
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1. PARTIES

This Amendment (the “Amendment”) to the Original Grant shown on the Signature and Cover Page for this Amendment (the “Grant”) is entered into by and between the Grantee, and the State.

2. TERMINOLOGY

Except as specifically modified by this Amendment, all terms used in this Amendment that are defined in the Grant shall be construed and interpreted in accordance with the Grant.

3. AMENDMENT EFFECTIVE DATE AND TERM

A. Amendment Effective Date

This Amendment shall not be valid or enforceable until the Amendment Effective Date shown on the Signature and Cover Page for this Amendment. The State shall not be bound by any provision of this Amendment before that Amendment Effective Date, and shall have no obligation to pay Grantee for any Work performed or expense incurred under this Amendment either before or after of the Amendment term shown in **§3.B** of this Amendment.

B. Amendment Term

The Parties’ respective performances under this Amendment and the changes to the Grant contained herein shall commence on the Amendment Effective Date shown on the Signature and Cover Page for this Amendment and shall terminate on the termination of the Grant.

4. PURPOSE

On April 8, 2024, the Parties entered into a grant agreement in which the Electronic Recording Technology Board (ERTB) made a grant to the Grantee to assist with the cost of Records Management, Document Pro, Document Alert software, installment, labor, and maintenance fees for three years.

This modification is to remove the Exhibit A Statement of Work from the original grant and replace it with Exhibit A-1 Statement of Work.

5. MODIFICATIONS

The Grant and all prior amendments thereto, if any, are modified as follows:

- A. Exhibit A Statement of Work is hereby deleted and replaced with the attached Exhibit A-1 Statement of Work.

6. LIMITS OF EFFECT AND ORDER OF PRECEDENCE

This Amendment is incorporated by reference into the Grant, and the Grant and all prior amendments or other modifications to the Grant, if any, remain in full force and effect except as specifically modified in this Amendment. Except for the Special Provisions contained in the Grant, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Grant or any prior modification to the Grant, the provisions of this Amendment shall in all respects supersede, govern, and control. The provisions of this Amendment shall only supersede, govern, and control over the Special Provisions contained in the Grant to the extent that this Amendment specifically modifies those Special Provisions.

EXHIBIT A-1 STATEMENT OF WORK
(GRANT APPLICATION)



ELECTRONIC
RECORDING
TECHNOLOGY
BOARD

Grant Application

Updated 9-24-21

Background

In the state of Colorado, a one-dollar per document technology fee was implemented in the early 2000's to aid County offices across the state in funding technological advancements in recording. As a result, Colorado was the first multi-jurisdictional state in the nation to adopt e-Recording across the state.

In the spring of 2014, a working group made up of real estate, lending, legal professionals as well as counties conducted a statewide needs assessment and a request for information to evaluate the state of recording systems in Colorado.

In the spring of 2016, legislation was passed, and this board and a funding structure were created from Senate Bill 16-115.

Our Vision

To create, support, and maintain a statewide land records environment that promotes accessibility and consistency for the public in an efficient and user-friendly manner.

Our Mission

To develop, maintain, improve, replace, or preserve land records systems in our state.

Business Purpose

The business purpose of the board is to develop and modernize electronic filing systems throughout the state as defined in 24-21-402 (2).

Our Core Goals (24-21-403 (1))

- Assure the security, accuracy, and preservation of public records required to be maintained by a Clerk and Recorder.
- Maintain the privacy of personal identifying information, online public access to which is not necessary to the proper functioning of land title records or other public records required to be maintained by a clerk and recorder.
- Assure that the sequence in which documents are received by a clerk and recorder is accurately reflected to the greatest extent practicable.
- Provide for online public access to public documents while maintaining the privacy of personal identifying information when applicable.
- Assure that electronic filing systems used in different counties are similar so as to facilitate the submission and searching of electronic records.

Our Objectives

1. Develop a strategic plan that incorporates the core goals and establish the administration of the Electronic Recording Technology Fund and Board.
2. Determine functionality standards for an electronic filing system that supports the core goals.
3. Issue a Request for Proposal (RFP) for electronic filing system equipment and software that the counties may choose to acquire.
4. Develop best practices for an electronic filing system.
5. Provide training to Clerk and Recorders related to electronic filing systems.
6. Develop a grant program, prepare reports and promulgate any necessary rule-making.
7. Develop subcommittees and project timelines for implementation.



Board Members

Susan Corliss Kit Carson County Clerk and Recorder	Representing County Clerk & Recorders
Chris Beall Sr. Program Director, CO Secretary of State	Representing Secretary of State
Amanda Gonzalez Jefferson County Clerk and Recorder	Representing County Clerk & Recorders
Angela Myers Larimer County Clerk and Recorder	Representing County Clerk & Recorders
Charles Calvin Calvin Law Firm	Representing Colorado Bar Association
Trish Gilbert Saguache County Clerk and Recorder	Representing County Clerk & Recorders
Lloyd Booth , Mead Technology Group	Representing Mortgage Lending Industry
Robert Howe Title Company of the Rockies	Representing Title Industry
Molly Fitzpatrick Boulder County Clerk and Recorder	Representing County Clerk & Recorders

Who is eligible for grants?

Any Colorado County Clerk and Recorder.

What projects are available for grants?

Any project that establishes, maintains, improves, or replaces a County Electronic Filing System, the electronic document management system that enables a county clerk and recorder to accept electronic recording of land records and to provide online access to recorded documents.

Eligible projects may include digitization and indexing of documents received for recording in the office of the county clerk, especially documents that affect rights in real property.

In addition, the ERTB may approve a grant application when a portion of the grant funds will be used to digitize public documents that are not related to real property but that are managed by the county's electronic filing system. See CRS § 24-21-404(2)(b)(II), as enacted by HB 21-1225. For further information, see the Board's Policy Governing Grants for Digitization and Indexing.

In addition to projects that establish, maintain, improve, or replace an Electronic Filing System, eligible projects may include improvements to the security of a county's general information technology systems, if the improvement is necessary to improve the security of the county's electronic filing system. (Added by HB 21-1225)

For the purpose of this grant application and as defined in 24-21-401:

- (1) "Board" means the Electronic Recording Technology Board created in Section 24-21-402 (1)
- (2) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- (3) "Electronic Filing System" means the document management system used by a Clerk and Recorder to comply with the statutory requirements set forth in part 4 of article 10 of title 30 C.R.S., for:
 - (a) Electronic documents received for recording or filing in the Clerk and Recorder's office; and
 - (b) Paper documents received for recording or filing in the Clerk and Recorder's office that are converted from paper, microfilm, or microfiche into an electronic format.
- (4) "Fund" means the Electronic Recording Technology Fund created in section 24-21-404 (1).

Deadline and Important Application Process Reminders

Grants will be considered on a monthly basis. In order to be considered for a grant, please submit your completed application via the on-line application or downloadable PDF at www.ertb.org by the first business day of the month. PDF applications can be emailed to ERTB.Grants@Coloradosos.gov. Counties will be notified by a grant award letter within 60 days and will be asked to sign a grant agreement. Please direct any questions about the application to ertbexecutivedirector@gmail.com.

Quotes/bids that support the grant-funding amount being requested must be included. Similar detail regarding past expenditures must be provided if reimbursement is being requested.

In order to improve a county's application, the county is encouraged but is not required to submit "letters of support" for the grant. It is recommended that these letters come from various sources, including (but not limited to) county government officials, industry partners or customers, chambers of commerce, or business leaders, etc.

Conditions for Receiving Grants

Before applying for any grant funds, please read the following conditions that will be included (but not limited to) as part of your grant agreement:

- Counties will cooperate with the Electronic Recording Technology Executive Director and Board and in their statutory reporting requirements.
- Any vendor contracts must include training on any equipment being purchased.
- Counties agree to participate in recording best practices, as defined in 24-21-403 (3) (d).
- If grant funds are not used in the first year, counties must submit to the Electronic Recording Technology Board a request for approval regarding how and when the funds will be spent. The Electronic Recording Technology Board will respond within 60 days. All funds must be expended by June 30, 2026.
- Counties will be required to provide proof of purchase by a signed contract or paid invoice for any new purchase along with a completed audit form to be provided. Audit forms must be completed within 30 days of receipt. These can be emailed to ERTB.Grants@Coloradosos.gov.
- Counties must be current and timely on their transmission of Recording Technology Fees to the Fund. Counties may submit comments to the Electronic Recording Technology Board for exceptions due to factors outside their control.
- The County agrees to maintain recordkeeping that provides a complete audit trail of funds received and expended, and the County agrees to cooperate and participate in any audits conducted under authority of the Electronic Recording Technology Board or the Colorado State Auditor. The County must maintain an accounting system and financial records that accurately account for the receipt and disbursement of Grant Funds. For this purpose, the county may use either general ledger fund accounting that tracks Grant Funds separately from other County funds, or use a tracking spreadsheet. All payments and expenditures must be tracked. Each expenditure must be classified by budget category, such as Personnel, Supplies and Operating, Travel, Equipment and Professional Services. All financial records must be supported by source documentation (such as invoices, time sheets, etc.).
- Counties may apply for reimbursement of funds that have already been expended if the expenditure establishes, maintains, improves or replaces a County Electronic Filing System as defined in 24-21-404 (2) and meets the core goals listed on Page 2. Additionally, the expenditure of funds must have taken place after the effective date of SB 16-115, June 10, 2016. Counties must provide proof of purchase.
- Counties may apply for funding to hire temporary staff for the completion of an eligible project. Counties must provide a closed quote and a statement of work.
- Counties may apply for funds more than one time.
- Any applications that are not completely filled out will be returned to the county and can be resubmitted once completed. All application questions should be answered, even if they do not pertain to the specific grant request. Part of the Board's function is to gather information about hardware and software used by counties.
- Counties should include any invoices or proposals if applicable.



- The Electronic Recording Technology Board reserves the right to partially fund a grant request.
- County tiers in the application refers to the classes listed in statute 30-1-101 and provided below:

30-1-101. Classification of counties - fixing fees

(1) For the purpose of fixing fees, chargeable and to be collected by county and other officers, and for no other purpose, the several counties of this state are divided into five classes, which classes shall be known as the first, second, third, fourth, and fifth, as follows:

(a) The city and county of Denver is a county of the first class;

(b) The counties of Adams, Arapahoe, Boulder, Douglas, El Paso, Jefferson, Pueblo, and Weld are counties of the second class;

(c) The counties of Delta, Garfield, Larimer, Las Animas, Logan, Mesa, Montezuma, Montrose, Morgan, and Otero are counties of the third class;

(d) The counties of Alamosa, Archuleta, Bent, city and county of Broomfield, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Crowley, Eagle, Elbert, Fremont, Gilpin, Gunnison, Huerfano, Kit Carson, Lake, La Plata, Lincoln, Ouray, Park, Phillips, Prowers, Rio Grande, Routt, Saguache, San Miguel, Sedgwick, Teller, Washington, and Yuma are counties of the fourth class;

(e) The counties of Baca, Custer, Dolores, Grand, Hinsdale, Jackson, Kiowa, Mineral, Moffat, Pitkin, Rio Blanco, San Juan, and Summit are counties of the fifth class.

ELECTRONIC RECORDING TECHNOLOGY FUND GRANT APPLICATION CHECKLIST

- Complete the entire application regardless of whether it applies to a specific grant request. Incomplete applications will be returned to the county and can be resubmitted once completed.
- Include any bids, invoices or proposals that are applicable to the grant application. For digitization and indexing, make sure that bids include the number of pages and/or documents to be digitized and/or indexed.
- Do not include any requests that would include expenditures past June 30, 2026, since the grant program is scheduled to be statutorily repealed on September 1, 2026.
- Grants can only be awarded for goods or services that fall under the statutory definition of “electronic filing system” in 24-21-401.

Electronic Recording Technology Fund Grant Application Form

General Information

County Name Yuma County

County Clerk & Recorder Name Beverly A Wenger

Phone 970-332-5809

Email bwenger@co.yuma.co.us

Alternant contact Pam Zuege

Phone 970-332-5809

Email pzuege@co.yuma.co.us

Mailing Address 310 Ash St. STE. F

City Wray

State CO

Zip 80758

County Tier 4

County budget cycle (calendar, fiscal) including dates Jan 1 through Dec 31 each given year (Calendar Year)

How many recordings do you do in a year? Approximately 4500 to 5000

How much do you collect of the \$1 Recording Technology Fee in an average year (over the last three years)?

\$5832

How much money is in your technology fund? Approximately \$10,000

Recording Equipment Information

Is your county currently recording documents Electronically Manually

What is the age of your current software? What is the age of the equipment (hardware) for which you are applying? What is the expected life of the software and hardware?

Software is 13 years old however, updates are installed as required or needed. (June 20, 2010) Hardware is about 2 years old. At this time, we are not applying for hardware. Expectancy life of equipment is 5 years.

What is the condition of your current software? What is the condition of the equipment (hardware) for which you are applying? Very Good

Who is your current vendor? What product and version do you currently use?

DocUPro/TylerEagle Version 2023.3

What is your current annual payment to your vendor and how is it calculated?

\$12,986.29 plus \$1800 for Web Docs (online accessibility and backup) based on a % increase yearly



How and what kind of hosting is done with any parts of your recording system?
Cloud hosting and back up plus we do a backup external hard drive weekly

What is the term of your contract (dates) with your current vendor? 2010 until we terminate the contract.
There is not an end date or a contractual renewal date.

What percentage of your documents have been digitized? What percentage of your documents have been indexed? What will the percentage be if this grant application is approved?
Approximately 95% of our documents have been digitized with only about 85% indexed. This will not be included in this grant application.

What percentage of your land documents are accessible online? What will the percentage be if this grant application is approved?
Approximately 95%

Grant Information

Why are you applying for grant funds?

I am applying for funds to cover my yearly maintenance fees for the next 3 years. Even though I have some money in my tech fund, it is used for in house purchases and the county is beginning to have to use reserves due to changes in legislation.

Amount of grant request (no funding requests involving expenditures past June 30, 2026).

\$52972.00 three years of maintenance fees with the % increase included plus adding the email security alert to customers should activity occur on there documents with out the customer knowing.

What do you want to use the grant money for? Break out the expenses and include bids, invoices, or proposals with your request. What specific equipment and software do you want to purchase?

Roughly estimating % increase for the next three years for maintenance --2024 \$14846.00, 2025- \$16344.00 and 2026-17162.00 plus software of \$3000 for Doc alert installment and labor of \$900.00

If you are requesting grant funding for digitization and indexing, please provide a general description of the documents to be digitized and/or indexed, the approximate date ranges, the total number of pages or documents, and an estimate of the percent of documents that are not related to interests in real property. If there are documents not listed in the Board's Policy Governing Grants for Digitization and Indexing, as examples pf real property documents but the Clerk believes are related to interests in real property, please provide an explanation of why the documents are related to real property. Attach supporting bids if applicable. Bids should include the number of pages and/or documents to be digitized and/or indexed. For further information, see the Board's Policy Governing Grants for Digitization and Indexing.

If you are requesting grant funding to improve the security of your county's general information technology systems, please describe generally the security measures to be undertaken with grant funds and explain why/how the improvement is necessary to improve the security of your electronic filing system.

If the grant is for temporary staff, what specific project will the staff be working on? (Please attach a Statement of Work).

How do you plan to segregate grant funds from county funds?

Our finance department has a separate grant fund into which this funds go into and are paid out of.

There is a monthly and yearly reconciliation of this fund.

Will any monies from your technology fund be used for the purpose(s) contained in the grant request? If yes, how much?

If no, explain the plans for the use of your technology fund.

Our equipment will be coming up for a refresh in the near future and will be needed to purchase the equipment.

Will this be (or was this) a competitive bid process (RFP) or an upgrade to an existing system?

N/A

Will the grant award increase your annual maintenance costs? If so, do you have a long-term plan to budget for the increase? No

Describe how the funds will be used to achieve the stated business purpose and core goals.

A) To assure the security, accuracy and preservation of public records

Provide the funds to continue to be able to provide electronic documents to the public for on line and in house viewing

B) To maintain the privacy of personal identifying information, online access.

Provide the funds to continue to be able to provide electronic documents to the public for on line and in house viewing

C) To assure that the sequence in which documents are received by a clerk are accurately reflected to the greatest extent practicable

Provide the funds to continue to be able to provide electronic documents to the public for on line and in house viewing

D) To provide for online public access to public records

Provide the funds to continue to be able to provide electronic documents to the public for on line and in house viewing



E) To assure that electronic filing systems used in different counties are similar so as to facilitate the submission and searching of electronic records.

Provide the funds to continue to be able to provide electronic documents to the public for on line and in house viewing

With my signature below, I do hereby certify that I have read, understand, and support the above application for grant funds through the Electronic Recording Technology Board.

A handwritten signature in blue ink, appearing to read "Doreen Wanger".

Signature of County Clerk & Recorder

A handwritten date in blue ink, "1-10-24".

Date



Quoted By: Erin Walker
 Quote Expiration: 6/28/24
 Quote Name: Yuma County, CO - Document Alert for IDM

Sales Quotation For:
 Yuma County
 310 Ash St Ste F
 Wray, CO 80758-1850
 Phone: +1 (970) 332-5809

Tyler Software

Description	Software Total	Maintenance
Records Management		
Records Management - Document Pro - Document Alert, Year 1	\$ 3,000	\$ 720
Year 1: Regular Maintenance, June 2023- May 2024		\$ 14,846
Year 2: Doc Alert + Annual Maintenance, June 2024- May 2025		\$ 16,344
Year 3: Doc Alert + Annual Maintenance, June 2025-May 2026		\$ 17,162
TOTAL	\$ 3,000	\$ 49,072

Professional Services

Description	Extended Price	Maintenance
Records Management		
Records Management - Professional Services		
Total Hours	6	
TOTAL	\$ 900	\$ 0

Summary	One Time Fees
Total Tyler Software	\$ 3,000
Year 1 Maintenance for Doc Alert	\$720
Total Annual (June 2023-May 2026) <i>Includes 3 years of Maintenance - with 2 Yrs DocAlert Maintenance</i>	\$ 48,352
Total Tyler Professional Services	\$ 900
Total Third-Party Hardware, Software, Services	\$ 0
Contract Total	\$ 52,972