

ADOT File No.: IGA/ JPA.: 16-0005787-I
Amendment No. One: 17-0006370-I
AG Contract No.: P0012016001747
Project Location/Name: Porter Road &
Honeycutt Road SRTS Study
Type of Work: Safe Routes to School Study
Federal-aid No.: MAR-0(205)T
ADOT Project No.: T0054 01X
TIP/STIP No.: MAR16-402
CFDA No.: 20.205 - Highway Planning and
Construction
Budget Source Item No.: N/A

**AMENDMENT NO. ONE
TO
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
CITY OF MARICOPA

THIS AMENDMENT NO. ONE to INTERGOVERNMENTAL AGREEMENT (the "Amendment No. One"), entered into this date _____, pursuant to Arizona Revised Statutes §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF MARICOPA, acting by and through its MAYOR and CITY COUNCIL (the "City"). The City and State are collectively referred to as the "Parties."

WHEREAS, the INTERGOVERNMENTAL AGREEMENT, JPA/IGA 16-0005787-I, A.G. Contract No. P0012016001714, was executed on July 5, 2016, (the "Original Agreement");

WHEREAS, the State is empowered by Arizona Revised Statutes § 28-401 to enter into this Amendment No. One and has delegated to the undersigned the authority to execute this Amendment No. One on behalf of the State;

WHEREAS, the City is empowered by Arizona Revised Statutes § 11-952 to enter into this Amendment No. One and has by resolution, a copy of which is attached and made a part of, resolved to enter into this Amendment No. One and has authorized the undersigned to execute this Amendment No. One on behalf of the City; and

NOW THEREFORE, in consideration of the mutual terms expressed herein, the purpose of this Amendment No. One is amend the funding. The Parties desire to amend the Original Agreement, as follows:

II. SCOPE OF WORK

Section II., Paragraph 1.d. is revised, as follows:

1. The State will:
 - d. Once costs have been incurred and paid by the City and within thirty (30) days of receipt of an approved Progress Payment Report for eligible SRTS expenses, reimburse the City for eligible costs incurred not to exceed **\$75,440.00**. Any costs incurred prior to the date of the official SRTS Notice to Proceed will not be eligible for reimbursement. Any reimbursements shall be submitted and will be processed at the prorated percentage of 94.3% up to the total amount of federal funds programmed for the project.

Section II., Paragraph 2.c. is revised, as follows:

2. The City will:
 - c. On a monthly or quarterly basis, complete and submit a Progress Payment Report and all documentation necessary for reimbursement of eligible costs incurred and paid not to exceed **\$75,440.00**. Any costs incurred prior to the date of the official SRTS Notice to Proceed will not be eligible for reimbursement. Any reimbursements shall be submitted and will be processed at the prorated percentage of 94.3% up to the total amount of federal funds programmed for the project.

III. MISCELLANEOUS PROVISIONS

Section III. Paragraph 19. is added, as follows:

19. The Parties shall comply with the applicable requirements of Arizona Revised Statutes §35-393.01.

EXCEPT AS AMENDED, ALL OTHER terms and conditions of the Original Agreement remain in full force and effect.

THIS AMENDMENT NO. ONE shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.

IN ACCORDANCE WITH Arizona Revised Statutes § 11-952 (D) attached and incorporated in this Amendment No. One is the written determination of each Party's legal counsel that the Parties are authorized under the laws of this State to enter into this Amendment No. One and that the Amendment No. One is in proper form.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. One the day and year first above written.

CITY OF MARICOPA

STATE OF ARIZONA

Department of Transportation

By _____
CHRISTIAN PRICE
Mayor

By _____
STEVE BOSCHEN, P.E.
Division Director

ATTEST:

By _____
VANESSA BUERAS
Clerk

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ATTORNEY APPROVAL FORM FOR THE CITY OF MARICOPA

I have reviewed the above referenced Amendment No. One to the Original Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY OF MARICOPA, an agreement among public agencies which, has been reviewed pursuant to Arizona Revised Statutes §§ 11-951 through 11-954 and declare this Amendment No. One to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Amendment No. One.

DATED this _____ day of _____.

City Attorney