

ADOT CAR No.: IGA 21-0008196-I
Amendment No. One: 23-0009363-I
AG Contract No.: P0012021001484
Project Location/Name: Phase III-City of
Glendale Flashing Yellow Arrows
Type of Work: Conversion to Flashing
Federal-aid No.: GLN-0(259)T
ADOT Project No.: T011901C
TIP/STIP No.: GLN22-801
CFDA No.: 20.205 - Highway Planning and
Construction
Budget Source Item No.:

**AMENDMENT NO. ONE
TO
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF GLENDALE

THIS AMENDMENT NO. ONE to INTERGOVERNMENTAL AGREEMENT (the “Amendment No. One”), is entered into this date _____, pursuant to Arizona Revised Statutes (“A.R.S.”) §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the “State” or “ADOT”) and the CITY OF GLENDALE, acting by and through its MAYOR and CITY COUNCIL (the “CITY”). The State and the City are each individually referred to as a “Party” and are collectively referred to as the “Parties.”

WHEREAS, the INTERGOVERNMENTAL AGREEMENT, IGA 21-0008196-I, A.G. Contract No. P0012021001484, was executed on February 14, 2022, (the “Original Agreement”);

WHEREAS, the State is empowered by A.R.S. § 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 A.R.S. § 48-572 to enter into this Amendment No. One and has by resolution, if required, 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 to reduce the description of Project work and Project cost; the Cost Estimate shown on Exhibit A is revised and replaced accordingly. The Parties desire to amend the Original Agreement, as follows:

The Parties incorporate the paragraphs set forth above as part of the body of this Amendment No. One.

At the request of the City, \$9,167.00 paid by the City to ADOT was reduced from the construction phase of the Project and applied to the design phase of Project T0119.

I. RECITALS

Section I, Paragraph 3 is revised as follows:

3. The improvements proposed under this Amendment No. One consists of the conversion of left-turn movements at signalized arterial intersections to flashing yellow arrow (FYA) operations, and installation of 3" retroreflective tape on signal back plates, at 11 intersections (the "Project"). The Project cost, shown in Exhibit A, is estimated at \$2,777,699.00, which includes federal aid and the City's match. The State will advertise, bid and award, and administer the construction phase of the Project. The project development administration (PDA) costs (formerly referred to as PMDR costs) and design phase of the project are addressed in IGA 16-0006250.

II. SCOPE OF WORK

(NO CHANGES)

III. MISCELLANEOUS PROVISIONS

Section III, Paragraph 21 is revised, as follows:

21. Contractor Certifications. The Parties shall certify that all contractors comply with the applicable requirements of A.R.S. §§ 35-393.01 and 35-394.

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

EXHIBIT A
Phase III - City of Glendale
Flashing Yellow Arrows
Cost Estimate

IGA: 21-0008196-I
 Amendment No. One: 23-0009363-I

T011901C

The Project costs are estimated as follows:

Executed Date:	Original	Amend #1	TOTAL
<u>Construction:</u>*			
Federal-aid funds @ 100%	\$ 2,758,201.00		\$ 2,758,201.00
City's match @ 100% **	\$ 28,665.00	\$ (9,167.00)	\$ 19,498.00
Estimated TOTAL Project Cost	\$ 2,786,866.00	\$ (9,167.00)	\$ 2,777,699.00
City's match	\$ 28,665.00	\$ (9,167.00)	\$ 19,498.00
Federal Funds	\$ 2,758,201.00	\$ -	\$ 2,758,201.00

*(Includes 15% construction engineering (CE) and administration cost (this percentage is subject to change, any change will require concurrence from the City) and 5% Project contingencies)

**(\$9,167.00 was reduced from the construction phase of the Project and applied to the design phase of project T0119)

THIS AMENDMENT NO. ONE shall become effective upon the full completion of signing and dating by all Parties to this Amendment No. One.

IN ACCORDANCE WITH A.R.S. § 11-952 (D), the written determination of each Party's legal counsel providing 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 is set forth below.

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

CITY OF GLENDALE

By _____ Date _____
JERRY WEIERS
Mayor

ATTEST:

By _____ Date _____
JULIE BOWER
City Clerk

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 GLENDALE, an agreement among public agencies which, has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954 and A.R.S. § 48-572 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.
Approved as to Form:

By _____ Date _____
City Attorney

ARIZONA DEPARTMENT OF TRANSPORTATION

By _____ Date _____
STEVE BOSCHEN, PE
Division Director

A.G. Contract No. P0012021001484 (ADOT IGA 21-0008196-I Amendment No. One: 23-0009363-I), an Agreement between public agencies, the State of Arizona and the City of Glendale has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954 and A.R.S. § 28-401 by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona. No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Amendment No. One.

By _____ Date _____
Assistant Attorney General