

ADOT File No.: IGA 20-0007781-I
Amendment No. One: 22-0008570-I
AG Contract No.: P001 2020 001486
Project Location/Name: McDowell Rd - SR
303 to Dysart Rd
Type of Work: Vehicle Detection and Data
Improvements
Federal-aid No.: GDY-0(213)T
ADOT Project No.: T0261
TIP/STIP No.: GDY21-062
CFDA No.: 20.205 - Highway Planning and
Construction
Budget Source Item No.: NA

**AMENDMENT NO. ONE
TO
INTERGOVERNMENTAL AGREEMENT**

BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF GOODYEAR

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 GOODYEAR, 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/JPA 20-0007781-I, A.G. Contract No. P001 2020 001486, was executed on December 7, 2020, (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, 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 revise Project costs; Exhibit A is revised and replaced accordingly. The Parties desire to amend the Original Agreement, as follows:

Consistent with the Original Agreement, the City has been invoiced and paid \$30,000.00 for the City's total share of PDA, and \$227,719.00 for the City's Project costs; Project costs exceeded the cost estimate, the City requested and received additional federal funding in the amount of \$170,859.00 (for a total of \$468,328.00 of federal aid), the final Procurement amount totaled \$525,189.00. After execution of this Amendment No. One, the City will be reimbursed \$170,858.00.

The Parties incorporate the Recitals set forth above and Exhibit A, attached hereto and made a part of the body of this Amendment No. One.

I. RECITALS

(NO CHANGES)

II. SCOPE OF WORK

(NO CHANGES)

III. MISCELLANEOUS PROVISIONS

(NO CHANGES)

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

Remainder of this page intentionally left blank.

(Signatures on the next page)

THIS AMENDMENT NO. ONE shall become effective upon the signing and dating of all Parties.

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 GOODYEAR

By _____ Date _____
JOE PIZILLO
Mayor

ATTEST:

By _____ Date _____
DARCIE McCracken
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 GOODYEAR, an agreement among public agencies which, has been reviewed pursuant to A.R.S. §§ 11-951 through 11-954 and and A.R.S. § 48-572 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. P001 2020 001486 (ADOT IGA 20-0007781-I, Amendment No. One: 22-0008570-I), an Agreement between public agencies, the State of Arizona and the City of Goodyear 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 Agreement.

By _____ Date _____
Assistant Attorney General

EXHIBIT A

**IGA 20-0007781-I
Amendment No. One: 22-0008570-I
Cost Estimate**

T0261

The federal funds will be used for the procurement costs of the Project. The Project costs are estimated as follows:

ADOT Project Development Administration (PDA) Cost, non-federal-aid:

PDA costs*	\$	30,000.00
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Procurement:

Federal-aid funds @ 94.3%	\$	468,328.00
City's match @ 5.7%	\$	28,309.00
City's contribution @ 100%	\$	<u>28,552.00</u>

Subtotal – Procurement	\$	525,189.00
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Estimated TOTAL Project Cost	\$	555,189.00
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Total Estimated City Funds	\$	86,861.00
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Total Federal Funds	\$	468,328.00
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* (Included in the City Estimated Funds)