

ADOT CAR No.: IGA 19-0007461-I  
Amendment No. One: 21-0008397-I  
AG Contract No.: P001 2019 003314  
Project Location/Name: Ellsworth Road –  
Ironwood Drive  
Type of Work: Construct New Roadway  
Federal-aid No.: 024-A(200)T  
ADOT Project No.: H891501C  
TIP/STIP No.: 100230; 8891  
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 MESA

**THIS AMENDMENT NO. ONE to INTERGOVERNMENTAL AGREEMENT (the “Amendment No. One”)**, is entered into this date \_\_\_\_\_, pursuant to the 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”), the CITY OF MESA, acting by and through its CITY MANAGER and CITY COUNCIL (the “City”). The State and the City are collectively referred to as “Parties.”

**WHEREAS**, the INTERGOVERNMENTAL AGREEMENT, IGA 19-0007461-I, A.G. Contract No. P001 2019 003314, was executed on June 8, 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 accelerate the Project timeline and open State Route (SR) 24 from Ellsworth Road to Williams Field Road by March 19, 2022 in the interim. The City will pay \$1,200,000 for the acceleration of the Project timeline within 15 days of receipt of an invoice from the State. The Parties desire to amend the Original Agreement, as follows:

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

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

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

**IN ACCORDANCE WITH** A.R.S. § 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 MESA**

**STATE OF ARIZONA**  
Department of Transportation

By \_\_\_\_\_  
**CHRISTOPHER J. BRADY**  
City Manager

By \_\_\_\_\_  
**STEVE BOSCHEN, PE**  
Division Director

ATTEST:

By \_\_\_\_\_  
**DEE ANN MICKELSEN**  
City Clerk

**ATTORNEY APPROVAL FORM FOR THE CITY OF MESA**

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 MESA, 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.

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

DRAFT