

ADOT File No.: IGA 22-0008647-I  
Amendment No. One: 24-0009751-I  
AG Contract No.: P0012022001119  
Project Name/Location: Apache Trail &  
Superstition Blvd  
Type of Work: Street Lighting  
Improvements  
Federal-aid No.: HSIP-APJ-0(220)T  
ADOT Project No.: T0365 01D/03D/01C  
TIP/STIP No.: APJ23-070D, APJ24-070C  
CFDA No.: 20.205 - Highway Planning and  
Construction  
Budget Source Item No.: 101895

**AMENDMENT NO. ONE  
TO  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF APACHE JUNCTION

**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”) and the CITY OF APACHE JUNCTION, 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, IGA 22-0008647-I, A.G. Contract No. P0012022001119, was executed on August 25, 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, a copy of which is attached hereto and made a part hereof, 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 increase the Project construction costs; 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.**

## **I. RECITALS**

**Section I, Paragraph 3 is revised, as follows:**

3. The work proposed under this Agreement consists of the design and construction of street lighting improvements along Apache Trail from Palo Verde Drive to State Route (SR) 88 and Superstition Blvd from Meridian Drive to SR88 (the "Project"). The Project cost, shown in Exhibit A, is estimated at \$2,562,000, which includes federal aid and local funds. The State will administer the design, and will advertise, bid and award, and administer the construction of the Project.

## **II. SCOPE OF WORK**

**(NO CHANGES)**

## **III. MISCELLANEOUS PROVISIONS**

**Section III, Paragraph 20 is revised, as follows:**

20. 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.

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**Remainder of this page is intentionally left blank.**

**(Signatures begin on the next page)**

**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 APACHE JUNCTION**

By \_\_\_\_\_ Date \_\_\_\_\_  
**WALTER "CHIP" WILSON**  
Mayor

ATTEST:

By \_\_\_\_\_ Date \_\_\_\_\_  
**JENNIFER PENA**  
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 Apache Junction, 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 \_\_\_\_\_  
**RICHARD J. STERN**  
City Attorney

**ARIZONA DEPARTMENT OF TRANSPORTATION**

By \_\_\_\_\_ Date \_\_\_\_\_  
**STEVE BOSCHEN, PE**  
Infrastructure Delivery and Operations Division  
Division Director

By \_\_\_\_\_ Date \_\_\_\_\_  
**BRENT A. CAIN, PE**  
Transportation Systems Management and Operations Division  
Division Director

This Amendment No. One between public agencies, the State of Arizona and the City of Apache Junction, 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

**EXHIBIT A**  
**Apache Trail And Superstition Blvd**  
**Cost Estimate**

IGA: 22-0008647-I  
Amendment No. One: 24-0009751-I

**T0365 01D/03D/01C**

The Project costs are estimated as follows:

	<b>Original</b>	<b>Amend #1</b>	<b>AMENDED TOTAL</b>
Executed Date:	August 25, 2022	Pending	
<b><u>ADOT Project Development Administration (PDA) Cost, non-federal-aid:</u></b>			
City's costs @ 100%	\$ 30,000		\$ 30,000
<b><u>Scoping/Design:</u></b>			
Federal-aid funds @ 100%	\$ 420,000		\$ 420,000
<b><u>Construction:*</u></b>			
Federal-aid funds @ 100%	\$ 2,016,000	\$ 96,000	\$ 2,112,000
<b>Estimated TOTAL Project Cost</b>	<b>\$ 2,466,000</b>	<b>\$ 96,000</b>	<b>\$ 2,562,000</b>
<b>Total Estimated City Funds</b>	<b>\$ 30,000</b>		<b>\$ 30,000</b>
<b>Total Federal Funds</b>	<b>\$ 2,436,000</b>	<b>\$ 96,000</b>	<b>\$ 2,532,000</b>

\*(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)