

ADOT CAR No.: IGA 23-0009299-I  
Amendment No. One: 25-0011079-I  
AG Contract No.: P0012023001252  
Project Location/Name: Ave C & Central  
Drain and 32nd St & Michigan Ave  
Type of Work: Pedestrian Hybrid Beacons  
Federal-aid No.: HSIP-YUM-0(227)T  
ADOT Project No.: T0455 01D/03D/01C  
TIP/STIP No.: YU-24-01D, YU-24-01R,  
YU-24-01C  
CFDA No.: 20.205 - Highway Planning and  
Construction  
Budget Source Item No.: 103626

**AMENDMENT NO. ONE  
TO  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF YUMA

**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 YUMA, acting by and through its MAYOR and CITY COUNCIL (the “City” or “Local Agency”). The State and the Local Agency are each individually referred to as a “Party” and are collectively referred to as the “Parties.”

**WHEREAS,** the INTERGOVERNMENTAL AGREEMENT, IGA 23-0009299-I, A.G. Contract No. P0012023001252, was executed on October 20, 2023, (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 revise the Project description. 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**

3. The work proposed under this Agreement consists of the installation of Pedestrian Hybrid Beacons (PHBs) at various locations with advanced markings and signs, (the "Project"). The proposed Project locations are 32<sup>nd</sup> Street and Michigan Avenue, and S Avenue C at Central Drain North of W 22<sup>nd</sup> Lane. The Project cost, shown in Exhibit A, is estimated at \$1,660,238, which includes federal aid. The State will administer the design, and the State will advertise, bid and award, and administer the construction of the Project. The Local Agency will acquire the necessary right of way for the Project under the stewardship and oversight of ADOT at their own cost.

**II. SCOPE OF WORK**

**(NO CHANGES)**

**III. MISCELLANEOUS PROVISIONS**

**(NO CHANGES)**

**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 YUMA**

By \_\_\_\_\_ Date \_\_\_\_\_  
**JOHN D. SIMONTON**  
City Administrator

ATTEST:

By \_\_\_\_\_ Date \_\_\_\_\_  
**LYNDA BUSHONG**  
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 Yuma, 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 W. FILES**  
City Attorney

**ARIZONA DEPARTMENT OF TRANSPORTATION**

By \_\_\_\_\_ Date \_\_\_\_\_  
**AUDRA MERRICK, PE**  
Infrastructure Delivery and Operations Division  
Division Director

By \_\_\_\_\_ Date \_\_\_\_\_  
**GREG BYRES, PE**  
Deputy Director of Transportation  
State Engineer

This Amendment No. One, an Agreement between public agencies, the State of Arizona and the City of Yuma 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