AG Contract No. KR97 1790TRN
ADOT ECS File No. JPA 97-118
Project: Police Officer Assistance
Section: SR-95, Central - Marina
H316701C

INTERAGENCY AGREEMENT
BETWEEN
THE DEPARTMENT OF TRANSPORTATION
AND
THE CITY OF BULLHEAD CITY

THIS AGREEMENT is entered into 22 SEPTEMBER, 1997, pursuant to Arizona Revised Statutes Section 11-952 through 11-954 as amended, between THe STATE OF ARIZONA, acting by and through the DEPARTMENT OF TRANSPORTATION (the "State"), and the CITY OF BULLHEAD CITY, acting by and through its MAYOR AND CITY COUNCIL (the "CITY").

I. RECITALS

1. The DOT is empowered by Arizona Revised Statutes Section 28-108 and 35-148 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the DOT.

2. The CITY is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the CITY.

3. The State has a requirement for police officer construction assistance at a highway improvement project on SR-95 between Central and Marina in the City. The City has agreed to provide the State with police officer personnel for construction assistance, all at State expense, for the safety and benefit of the motoring public.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. 21903
Filed with the Secretary of State
Date Filed: 09/22/97
Betsey Bayless
Secretary of State
By: Vicky Greenwood

II. SCOPE

1. The State will:

a. Appoint State personnel with appropriate authority to coordinate the work contemplated herein with the City. Notify the City at least 48 hours prior to any City police officer construction assistance service requirement.

b. Upon receipt of an invoice, reimburse the City for the reasonable direct actual cost of police officer construction assistance services provided, with no profit or fee, at the rate of $34.41 per hour (including police patrol vehicle).

2. The City will:

a. Appoint City personnel with appropriate authority to coordinate the work contemplated herein with the State. Upon notification by the State, dispatch City police officer personnel with appropriate equipment and patrol vehicle to sites as requested by the State.

b. Maintain a detailed accounting of officers dispatched to State sites for service, hours worked, hourly rate, etc. to accompany invoices to the State. No more often than monthly, invoice the State for costs incurred the previous month, at the rate of $34.41 per hour, with no City profit or fee.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until cancelled by either party or other competent authority.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

City of Bullhead City
City Manager
1255 Marina Blvd.
Bullhead City, AZ 86442

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF BULLHEAD CITY

By _____
NORM HICKS
Mayor

STATE OF ARIZONA
Department of Transportation

By _____
EDWARD D. WRIGHT
Deputy State Engineer

ATTEST

By _____
PAT NICHOLS
City Clerk

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RESOLUTION

BE IT RESOLVED on this 22nd day of July 1997, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the City of Bullhead City for the purpose of defining responsibilities for the City to provide police officer construction flagging assistance for the SR-95, Central - Marina project.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.

Dalli B. Saxton

for LARRY S. BONINE
Director

RESOLUTION NO. 97R-083

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BULLHEAD CITY, ARIZONA, APPROVING AN INTERAGENCY AGREEMENT BETWEEN THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, AND THE CITY OF BULLHEAD CITY, ARIZONA, AND AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE THE AGREEMENT FOR THE PURPOSE OF PROVIDING OFF-DUTY POLICE PERSONNEL FOR CONSTRUCTION ASSISTANCE DURING THE HIGHWAY IMPROVEMENT PROJECT ON SR-95 BETWEEN CENTRAL AVENUE AND MARINA BOULEVARD IN THE CITY OF BULLHEAD CITY.

WHEREAS, the City is empowered by Section 11-952 Arizona Revised Statutes and the City of Bullhead City Code Section 2.04.080 and Chapter 2.72, to enter into this agreement and acting by and through its City Council has resolved to enter into this agreement and has authorized the undersigned to execute same on behalf of the City; and

WHEREAS, the DOT is empowered by Arizona Revised States Section 28-108 and 35-148 to enter into this agreement and has by resolution resolved to enter into this agreement and has delegated the undersigned the authority to execute this agreement on behalf of the DOT; and

WHEREAS, the State has a requirement for police officer construction assistance at a highway improvement project on SR-95 between Central Avenue and Marina Boulevard in the City of Bullhead City, Arizona.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Bullhead City hereby approves the Interagency Agreement between the Department of Transportation and the City of Bullhead City and hereby authorizes the Mayor to enter into and execute said agreement on behalf of the City.

PASSED AND ADOPTED by the Mayor and City Council of the City of Bullhead City, Arizona, this 19th day of August , 1997.

Norm Hicks, Mayor

Date: 8/19/97

ATTEST:

Patricia G. Nichols, CMC, City Clerk

APPROVED AS TO FORM:

Paul Lenkowsky, City Attorney

JPA 97-118

APPROVAL OF THE BULLHEAD CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and the CITY OF BULLHEAD CITY and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 19 day of August, 1997.

City Attorney

STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

GRANT WOODS
ATTORNEY GENERAL

TRN Main: (602) 542-1680
Direct: (602) 542-8837
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MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT DETERMINATION

A.G. Contract No. KR97-1790TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, 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.

DATED September 10, 1997.

GRANT WOODS
Attorney General

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:ct/7644