A. G. Contract No. KR97 1802TRN
ECS File No.: JPA 97-128
Project: P0300 02P
Section: Bicycle Safety

AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
SAFE KIDS Coalition of Maricopa County, Inc.

THIS AGREEMENT is entered into 12 December, 1997, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the SAFE KIDS Coalition of Maricopa County, acting by and through its PRESIDENT and BOARD OF DIRECTORS (the "Safe Kids").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-108 and 28-112 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 State.

2. The Safe Kids is empowered to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Safe Kids.

3. The Federal Highway Administration has provided planning and research (SPR) State administered grant funds for various safety programs, including, but not limited to, bicycle safety education and related applications. The State has approved a grant in the amount of $7,500.00 for the Safe Kids to purchase and distribute bicycle safety helmets to school age children throughout the State.

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

II. SCOPE

1. The Safe Kids will:

a. Invoice the State for grant funds in the amount of $7,500.00. Be responsible for any program costs over and above the State's grant contribution.

b. Expend grant funds on bicycle safety helmets and distribute them free of charge to bicycling school age children.

2. The State will:

Within thirty (30) days after receipt and approval of an invoice, pay the Safe Kids $7,500.00.

III. MISCELLANEOUS PROVISIONS

1. The only interest of the Department of Transportation in the program is to convey federal pass through funds for the use and benefit of the Safe Kids by reason of state law under which funds for the program are authorized to be expended. Should the program not be completed, be partially completed, or be completed at a lower cost than the State's grant contribution, or for any other reason should any of these grant funds not be expended, a proportionate amount of the funds provided under this agreement shall be reimbursed to the State. The Safe Kids agrees to indemnify and save harmless the State, or any of it's departments, agencies, officers or employees, from and against all loss, expense, damage or claim of any nature whatsoever which is caused by any activity, condition or event arising out of the performance or non-performance by the State of any of the provisions of this agreement.

2. This agreement shall remain in force and effect until completion of said program and payment; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance under this contract, upon thirty (30) days written notice to the other party.

3. This agreement shall become effective upon execution by the parties hereto.

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

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

6. 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.

7. 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

Safe Kids Coalition of Maricopa County
Attn: President
PO Box 67732
Phoenix, AZ 85082

7. Attached hereto and incorporated herein is the written determination of legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

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

SAFE KIDS Coalition of Maricopa County, Inc.

By Ardith Crow
ARDITH CROW
Executive Director

STATE OF ARIZONA
Department of Transportation

By Jay Klagge
JAY KLAGGE, Director
Transportation Planning

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RESOLUTION

BE IT RESOLVED on this 29th 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 Safe Kids of Maricopa County for the purpose of defining responsibilities for the purchase and distribution of bicycle safety helmets for school age children throughout the State.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director of Transportation Planning for approval and execution.

Dalli D. Lapton

for LARRY S. BONINE
Director

97-128

GOVERNORS ARIZONA BICYCLE TASK FORCE

Wednesday, October 15, 1997
10:00 AM -11:30 AM
1820 West Washington, Room 103
League of Cities and Towns Building, Lower Level

MINUTES

Attendance

Susan Bookspan, Glendale
Richard Moeur, ADOT
Steve Hancock, Mesa
John Siefert, Chairman, Phoenix
Mark Mansfield, ADOT
Richard Corbett, PAG
Maureen Mageau-DeCindis - RPTA
Eugene Berlatsky, ABC
Paul Smith - Citizen
Eric Prosnier, ADOT
Tom Brecke - Citizen
Suzanne Day, RPTA
Patty Peyton, Citizen
Dick Lorance, Citizen

I. OPENING OF THE MEETING AND INTRODUCTIONS

Chairman Siefert called the meeting to order at 1:00 AM. Members and guests introduced themselves.

II. APPROVAL OF THE MINUTES

The Minutes were approved as corrected.
Correction: May it be noted in the Mimnutes for September 17, 1997, under Other Task Force Business, V.B., for the Effective Cycling Instructor's Course that is to be given in Octeber, 1997, that Richard Corbett has noted his conflict of interest and did not take part in that discussion.

III. CHAIRMAN'S COMMENTS

No comments were noted for the record.

IV. WORKING SESSION

BUDGET FOR 1997/1998

Budget items discussed last month were handed out in list form and discussed. The Task Force members were asked to rank each project and a final priority listing will be given to ADOT for approval. Items were approved at their original amount unless otherwise stated.

MOTION: by Member DeCindis to approve monies in the budget for helmets for the Maricopa County Safe Kids Coalition. PASSED.

BUDGET PRIORITIES

1. Mini Grants: approved at $15,000 (from $25,000)
2. Arizona BTF Guidelines Update ($3,000)
3. Bicycle Education for Transportation Coordinators
4. GABTF Conference: approved at $1,000 (from $7,500)
5. MUTCD Committee Travel ($1,800)
6. Safety PSAs ($7,500)
7. State Bicycle Survey

EFFECTIVE CYCLING INSTRUCTORS SEMINAR

The seminar is scheduled to take place on October 17, 18 and 19, 1997. Member Corbett will be the instructor.

CAP MULTI-USE PATH FEASIBILITY STUDY

The Task Force discussed the CAP Fesibility Study.

MOTION by Member Corbett to discontiue CAP Feasibility Study. Motion dies for lack of a second.

MOTION by Member Berlatsky to move ahead with the CAP study as presented. PASS

ESTABLISHING OF ACTIVE SUB-COMMITTEES

Chairman Sierfert requested that members sign up to work on various active sub-committees. (See attached)

V. IMMEDIATE TASK FORCE BUSINESS

MUTCD

W-11 sign has been issued as presented. The sign may indicate sharing the road with whatever a jurisdiction would like, I.E. bikes, tractors , etc.

LOCAL UPDATES

Arizona Bicycle Club

McDowell Mountain Tour will be held on October 25, 1997, to benefit advocacy and safety efforts.

City of Glendale

Is producing a safety video is being produced on a GOCHS Grant.

The city also has a Traffic Safety Educator who is working on all types of safety related programs.

City of Mesa

PSA, produced a 30 seconds in length titled "Riding Against Traffic."

Maricopa County

Usery Pass is having a six foot shoulder added from McKellops Road to Bush Hwy.

RPTA

Bike racks are being added to more busses. Phoenix and Scottsdale may bring the sales tax for transportation back to the voters in the future.

Holiday Party

To be held at the December 19th meeting. Patty Peyton, John Siefert and Maureen Mageau-deCindis will be in charge.

VI. BREAK

VII. TASK FORCE BUSINESS

Discussed under Immediate Task Force Business.

VIII. CALL TO THE PUBLIC

None.

IX. NEXT MEETING

The date of November 19, 1997, was confirmed for the next Task Force meeting