A. G. Contract No. KR98 1872TRN
PC Contract No. 01-04-A-125468-1294
ADOT ECS File: JPA 98-142
Project: STP-900-0(189)/H5089 06X
Section: FY98 - 99 PAG and Local
Technical Assistance Program Support
(PTAP and LTAP)

on ai
and
pertaining to this
contract

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
PIMA COUNTY, ARIZONA

THIS AGREEMENT is entered into 19 March, 1998, pursuant to Arizona Revised Statutes Section 11-952 through 11-954 as amended, between the STATE OF, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and PIMA COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 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 County is empowered by Arizona Revised Statutes Section 11-251 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 authorized the undersigned to execute this agreement on behalf of the County.

3. The Federal Government has made funds available to the State for the use of the County to conduct the PAG and Local Technical Assistance Program Support (PTAP and LTAP). The State and the County desire to define their respective responsibilities relating to the transfer of up to $23,575.00 thru the State to the County and the expenditure thereof.

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

NO. 23051
Filed with the Secretary of State
Date Filed: 03/19/99
Betsey Bayless
Secretary of State
By Vicky D. Graenewald

II. SCOPE

1. The State will:

Provide the County federal funds in the amount of up to $23,575.00, on a monthly cost reimbursement basis for activities performed relating to the PAG and Local Technical Assistance Program Support (PTAP and LTAP).

2. The County will:

a. Apply funding to project work activities in strict accordance with applicable Federal and State laws, rules and regulations.

b. Conduct related work activitites generally in accordance with Attachment A, which is incorporated herein and made a part hereof. Be responsible for any claims for extra compensation.

c. Provide the required $1,425.00 match in funds or in-kind services, and invoice the State for reimbursement no more often than monthly, supported by narrative reports, in a total amount not to exceed $23,575.00.

III. MISCELLANEOUS PROVISIONS

1. The only interest of the Arizona Department of Transportation in this agreement is to convey federal pass through funds for the use and benefit of the County by reason of State and Federal law under which funds for the activities are authorized to be expended.

2. This agreement is contingent upon the availability of federal funds to support the program, and shall remain in force and effect until completion of said activities and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance, upon thirty (30) days written notice to the other party.

3. Should the work contemplated under this agreement be completed at a lower cost than the reimbursed amount, or for any other reason should any of these funds not be expended, a proportionate amount of the funds provided shall be reimbursed to the State.

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

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

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

7. 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.

8. All notices or demands upon any party relating 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

Pima County
Transportation Director
201 N. Stone - 3rd floor
Tucson, AZ 85701

9. 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.

PIMA COUNTY

By _____
DEC 08 1998
Board of Supervisors

STATE OF ARIZONA
Department of Transportation

By _____
Acting ~~JAY KLAGGE~~, Director
Transportation Planning

ATTEST

By _____
Clerk of the Board

Contractor shall comply with all applicable provisions of the Americans with Disabilities Act (Public Law, 101-336, 42 U.S.C. 12101-12213) and all applicable Federal Regulations under the Act including 28 CFR Parts 35 & 36.

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JPA 98-142

RESOLUTION

BE IT RESOLVED on this 3rd day of August 1998, that I, the undersigned MARY E. PETERS, 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 Pima County for the purpose of defining responsibilities for conducting the FY98 - 99 PTAP and LTAP.

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.

[illegible] ALLOCCO, Manager
Engineering Technical Group
for Mary E. Peters, Director

RESOLUTION NO. 1998 255

RESOLUTION OF PIMA COUNTY BOARD OF SUPERVISORS APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN PIMA COUNTY AND THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION (ADOT), WHICH AGREEMENT PROVIDES FEDERAL FUNDS FOR ACTIVITIES PERFORMED RELATING TO THE PAG AND LOCAL TECHNICAL ASSISTANCE PROGRAM SUPPORT (PTAP AND LTAP), (ADOT JPA 98-142).
(All DISTRICTS)

WHEREAS, Pima County has determined it to be in the best interest of the public to enter into an intergovernmental agreement with ADOT for the purpose of applying federal funding to project work activities relating to the PAG and Local Technical Assistance Program Support, and

WHEREAS, ADOT agrees to pass through federal funds for the use and benefit of the County by reason of State and Federal Law under which funds for the activities are authorized to be expended, and

WHEREAS, Pima County will conduct related work activities and provide the required match in funds or in-kind services.

NOW, THEREFORE, UPON MOTION DULY MADE, SECONDED AND CARRIED, BE IT RESOLVED:

THAT Pima County enter into the intergovernmental agreement (JPA 98-142) with ADOT for the purpose of funding activities performed relating to the PAG and Local Technical Assistance Program, and

THAT the Chairman of this Board is hereby authorized and directed to sign the intergovernmental agreement (JPA 98-142) with the Arizona Department of Transportation.

PASSED, ADOPTED AND APPROVED this 8th day of December 1998.

PIMA COUNTY BOARD OF SUPERVISORS

CHAIRMAN DEC 08 1998

ATTEST:

CLERK OF THE BOARD

APPROVED AS TO FORM:

DEPUTY COUNTY ATTORNEY

JPA 98-142

ATTORNEY CERTIFICATION

The foregoing Intergovernmental Agreement, (JPA 98-142) by and between the Arizona Department of Transportation and Pima County Transportation and Flood Control District has been reviewed pursuant to A.R.S.§ 11-952 by the undersigned Deputy Pima County Attorney who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the agreement represented by the Pima County Attorney.

Hal Gallrein
Deputy Pima County Attorney

Nov. 13, 1998
Date

DEPARTMENT APPROVAL

The foregoing Intergovernmental Agreement, (JPA 98-142) by and between the Arizona Department of Transportation and Pima County Transportation and Flood Control District has been reviewed and is hereby approved as to content.

Dorothy C. Dolan
for Brooks A. Keenan
Chief Engineer
Pima County Transportation and Flood Control District

11-12-98
Date

Pima Association of Governments
Transportation Planning Division
Cherie L. Campbell

Work Element: **602.06 Government Technical Assistance, including PAG and Local Technical Assistance Program Support (PTAP and LTAP)**

Objective(s): Provide requesting government agencies information and/or assistance on transportation and related matters. Provide forecast data requirements for local and Federal-aid projects.

Provide support to ADOT for administration of the Technical Assistance Program (LTAP) and facilitate regional involvement in training opportunities with a PAG Technical Assistance Program (PTAP).

Product(s):

1. Routine and special reports conveying requested information (periodic)
2. Technical assistance for requesting agencies (periodic)
3. Reports identifying forecast travel for Federal-aid projects (periodic) recommendations.
4. Training Workshops
5. Expanded Video Library
6. Public Presentation Equipment and Staff Training
7. Continued support of ADOT administered LTAP program.

Related Work:

Air Quality Planning (104)
Integration of Transportation Model and GIS (602.09)
Metropolitan Transportation Plan (603.03)
Transportation Improvement Plan (604.01)
Transportation Financial Analysis and Assistance (602.07)

Anticipated Impact:

Continued availability and enhancement of technical data; staff assistance to local and State agencies; and coordination of Federal-aid project processing requirements.

This work element will support a variety of local government training activities to facilitate implementation of transportation projects and programs.

Task(s):

A. Respond to requests for routine information and technical assistance on transportation and related matters.
B. Review technical products of requesting agencies.
C. Provide forecast travel data for local and Federal-aid projects as requested.
D. Provide transportation impact data for local rezoning applications as requested.

Pima Association of Governments
Transportation Planning Division
Cherie L. Campbell

E. Update and pursue revision, as necessary, of Urban Boundaries, Functional Classifications and State Highway System/National Highway System roadway designations to make maximum utilization of HURF 15% and ISTEA funds.
F. Provide technical assistance to the Travel Reduction Ordinance Task Force, assess program impacts and effectiveness in travel reduction as requested.
G. Perform special subarea transportation analyses and impact studies as requested.
H. Continue public information and technical assistance to jurisdictional agencies, to increase safety, convenience and overall level of bicycle travel. Continue Bicycle Safety Education Program and support Tucson-Pima County Bicycle Advisory Committee.
I. Continue to assist jurisdictional agencies responsible for implementing TSM measures by providing specialized technical assistance.
J. Provide technical assistance to jurisdictional agencies in advancing roadway improvement projects to implementation.
K. Assist local jurisdictions, their consultants and citizen's advisory committees in the PAG process and use of traffic projections as project design teams carry out the work of the Transportation Improvement Program.
L. Assist the City of Tucson and Pima County in the accomplishment of Demonstration Projects that were authorized and appropriated in the Intermodal Surface Transportation Efficiency Act of 1991.
M. Transit Coordination among PAG, City of Tucson, Pima County, ADOT and FTA. Provide program audit of transit planning and implementation in the region.
N. Provide regional funding support ADOT for administration of the Local Technical Assistance Program(LTAP).
O. Provide travel and training funding support for local government participants through a PAG Technical Assistance Program (PTAP).

FUNDING SOURCE	AMOUNT	AGENCY	COST	APPROX. MONTHS
99 STP	81,000	TDOT/ PCDOT/ Consultant	50,000	12
PL CF	34,000	PAG	71,951	
LOCAL	6,951			
TOTAL	121,951	TOTAL	121,951	

TRN Main: (602) 542-1680
Direct: (602) 542-8837
Fax: (602) 542-3646

STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

JANET NAPOLITANO
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2997

MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT DETERMINATION

A.G. Contract No. KR98-1872TRN, 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.

DATE March 11, 1999.

JANET NAPOLITANO
Attorney General

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:et/19716

Enc.