
RESOLUTION No. 2020-005

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY ADOPTING AN AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH PIMA COUNTY FOR WILMOT ROAD, NORTH OF SAHUARITA ROAD PROJECT RTA (#33), A TRANSPORTATION PROJECT

WHEREAS, the Regional Transportation Authority of Pima County (the "RTA") is an Arizona special taxing district, duly formed and existing, pursuant to A.R.S. 48-5302, et seq., for the purposes of coordinating multi-jurisdictional cooperation in transportation planning, improvements and fund-raising as a municipal corporation through taxation and bonding, with the public's input and voter approval; and

WHEREAS, Pima County (the "Lead Agency") is a body politic and corporate of the State of Arizona; and

WHEREAS, pursuant to A.R.S. 48-5309 (A), the RTA adopted, and the voters approved, a twenty-year, comprehensive, multi-modal regional transportation plan (the "Plan"); and

WHEREAS, the RTA and Lead Agency have entered into an intergovernmental agreement for the Wilmot Road, North of Sahuarita Road Project RTA (#33), recorded sequence number CTN-TR-CMS142922, pursuant to A.R.S 11-952; and

WHEREAS, the Lead Agency and the RTA wish to cooperate in the Wilmot Road, North of Sahuarita Road Project RTA (#33) ("the Project"); and

WHEREAS, the Project is one of the transportation improvement projects included in the Plan or is eligible for funding as part of a categorical program included in the Plan; and

WHEREAS, pursuant to A.R.S. 48-5304 (18), the RTA has the authority to enter into agreements to exercise its powers and carry out its responsibilities; and

WHEREAS, staff from the RTA and the Lead Agency have drafted an amendment to intergovernmental agreement, attached hereto as Exhibit A and incorporated herein by this reference (the "amendment"); and

WHEREAS, the Board of Directors of the RTA has reviewed the provisions of the amendment and finds that adopting it is in the best interests of the RTA and is in furtherance of the Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the RTA that the amendment, attached hereto as Exhibit A, is hereby approved and adopted.

BE IT FURTHER RESOLVED that the Executive Director of the RTA is hereby authorized and directed to take all steps necessary and proper to cooperate with the Lead Agency on the Project and comply with the amendment.

PASSED AND ADOPTED by the Board of Directors of the Regional Transportation Authority this May 28, 2020.

RTA Board Chairperson

Certification:

Farhad Moghimi, Executive Director of the RTA, hereby certifies and attests that he has access to the official records of the Board of the RTA, that the foregoing Resolution was duly adopted by the Board of the RTA, at a duly noticed and public meeting, and that this Resolution has not been altered or amended and remains in full force and effect on the date stated below.

Farhad Moghimi, Executive Director

Date: _____

Approved as to form:

Thomas Benavidez, Esq.

EXHIBIT A
[Amendment to Intergovernmental Agreement]

Pima County Department of Transportation

Project: Wilmot Road – North of Sahuarita (RTA-33)

Other Party: Regional Transportation Authority

Contract No.: CTN-TR-20*122 (Prior Contract #: CTN-TR-CMS142922)

Contract Amendment No.: 02

Orig. Contract Term: 05/11/2010 – 12/30/2014	Orig. Amount:	\$9,800,000.00
Termination Date Prior Amendment: 3/31/2020	Prior Amendments:	\$ 0
Termination Date This Amendment: 6/30/2022	This Amendment Amount:	\$ 0
	Revised Total Amount:	\$9,800,000.00

INTERGOVERNMENTAL AGREEMENT AMENDMENT NUMBER 2

The parties agree to amend the above-referenced contract as follows:

1. Background and Purpose.

1.1. Pima County ("County") previously entered into an Intergovernmental Agreement ("IGA") with the Regional Transportation Authority ("RTA"), IGA Number CTN-TR-CMS142922) for design and construction of improvements to Wilmot Road – North of Sahuarita Road (RTA-33) in Pima County, and

1.2. Amendment Number 1 replaced Exhibit A with Exhibit A-1, reallocated funding and modified the termination date to March 31, 2020

1.3. The Parties wish to modify the termination date of the agreement.

2. Term. Modify termination date of the Agreement to June 30, 2022.

The effective date of this Amendment is March 17, 2020.

In Witness Whereof, Pima County has caused this Agreement to be executed by the Chair of the Pima County Board of Supervisors, and the Authority has caused this Agreement to be executed by its Chair of the Board.

REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY

Board Chair

Date

PIMA COUNTY



Chairman, Board of Supervisors

MAR 17 2020

Date

ATTEST:



Clerk of the Board

MAR 17 2020

Date

The foregoing Agreement between Pima County and the Authority has been approved as to content and is hereby recommended by the undersigned.

Mr. Farhad Moghimi, Executive Director



Ana M. Olivares, P.E., Director

ATTORNEY CERTIFICATION

The foregoing Agreement by and between the Regional Transportation Authority of Pima County and Pima County has been reviewed pursuant to A.R.S. Section 11-952 by the undersigned who have 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.

Regional Transportation Authority of Pima County:

Thomas Benavidez, Attorney for the Authority

Date

Pima County:



Deputy County Attorney

2/26/2020
Date

KELL OLSON