

**AMENDMENT 1
TO GRANT AGREEMENT GRT-20-0007902-T
BETWEEN THE STATE OF ARIZONA AND
Bisbee, City of**

THIS AMENDMENT 1 TO GRANT AGREEMENT GRT-20-0007902-T ("Amendment"), AG Contract Number P0012013003419 (MPD Agreement No. GRT-20-0007902-T), established pursuant to Arizona Revised Statute (A.R.S.) § 28-334 et seq., is entered into 2/9/2021, between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, MULTIMODAL PLANNING DIVISION, herein referred to as ADOT; and the Bisbee, City of herein referred to as the SUBRECIPIENT. ADOT and the SUBRECIPIENT are collectively referred to as the "Parties", and individually as ADOT, and "Party".

The Parties desire to amend the original Grant Agreement ("Agreement") entered into 9/29/2020. The Parties are amending the Agreement to add terms and conditions to address receiving funds from multiple sources for the same award.

- **IV. Miscellaneous Provisions, Item 23 has been added**

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representation herein, the Parties desiring to be legally bound, do agree as follows:

SECTION IV. Miscellaneous Provisions, Item 23 has been added to read:

"The Subrecipient agrees that if it receives Federal funding from the Federal Emergency Management Agency (FEMA) or through a pass-through entity through the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or any other Federal agency, or insurance proceeds for any portion of a project activity approved for funding under its Grant Agreement, the Subrecipient shall provide written notification to ADOT, and reimburse ADOT for any Federal share that duplicates funding provided by FEMA, another Federal agency, or an insurance company.

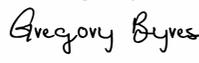
The Subrecipient shall notify the ADOT program/project manager and shall refund ADOT within sixty (60) calendar days from the date duplicate funds are received. As the Recipient of the funding, ADOT is responsible for refunding the awarding federal agency as applicable."

IN WITNESS WHEREOF, the Parties have executed this Amendment the day and year first above written.

Bisbee, City of

STATE OF ARIZONA, Department of Transportation



DocuSigned by:

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Ken Budge, Mayor

**Gregory Byres, Division Director
Multimodal Planning Division**

February 3, 2021

2/9/2021

Date Signed

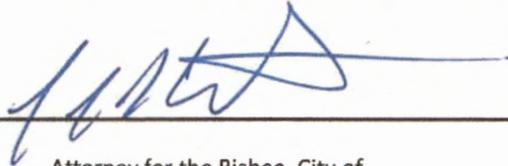
Date Signed

APPROVAL OF Bisbee, City of

This page must be signed by either an attorney or by a legally authorized agency signatory.

I have reviewed this Grant Agreement BETWEEN the STATE OF ARIZONA, by and through its ARIZONA DEPARTMENT OF TRANSPORTATION, MULTIMODAL PLANNING DIVISION and Bisbee, City of and declare this Agreement to be in proper form and within the powers and authority granted to the Bisbee, City of under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 3rd day of FEBRUARY, 2021



Attorney for the Bisbee, City of

Option for Private or Not-for-Profit Agencies Only:

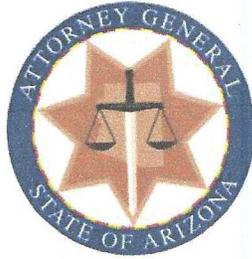
I herein state that the agency is a Private or Not-for-Profit Agency, and that as a legally-authorized signatory, by signing below, I Acknowledge and Waive attorney review of this Agreement. I furthermore acknowledge that ADOT recommends an attorney review of this Agreement even if not mandatory.

DATED this _____ day of _____, _____

Agency Signature

Print Name and Title of Signatory: _____





MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
STATE GOVERNMENT DIVISION /
TRANSPORTATION SECTION

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AMENDMENT 1 TO GRANT AGREEMENT
DETERMINATION

A.G. Contract No. P0012013003419 (MPD Agreement No. GRT-20-0007902-T), an Amendment 1 to Grant Agreement between public agencies, the State of Arizona and Bisbee, City of has been reviewed pursuant to A.R.S. § 28-334 et seq., 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: February 9, 2021

MARK BRNOVICH
Attorney General


SUSAN E. DAVIS
Assistant Attorney General
Transportation Section

SED/sp/9287651