# Intergovernmental Agreement (IGA)

Intergovernmental, Interagency Service, Interstate, and Joint Project Agreements (agreements with non-government agencies) are legally binding documents. ADOT primarily utilizes these as a mechanism for the exchange of funds between ADOT and other agencies or organizations, and to establish all other responsibilities for each party named. IGAs are used to document cost sharing, define operations and maintenance (O&M) responsibilities and outline provisions for specific products or materials, required or desired by the local entity. They are required for all local projects where the agency is a non-CA agency. IGAs are required on projects where maintenance responsibilities are delegated to said agencies. Agreements for federally funded projects must be signed and executed, and any matching funds received prior to the authorization of federal funds.

# IGA Amendments

If the Scope and/or cost of a project changes and an IGA has been executed, an [IGA Amendment Request Form](http://azdot.gov/docs/default-source/business/joint-project-agreement-amendment-request-form.pdf?sfvrsn=6) will need to be completed by the PM and e-mailed to JPABranch@azdot.gov.

# Maintenance Agreements

Maintenance agreements are required wherever operating and maintaining project features located within the ADOT ROW (e.g., sidewalks, street lighting, signals, landscaping, etc.) are not the responsibility of ADOT. ADOT has entered into Master Maintenance agreements with many Local agencies to clearly define and establish maintenance responsibilities between the two parties. These agreements may be routinely amended to include new features or new construction.

# Turn Backs

A Right-of-Way turn back is the disposal of a property or relinquishing the operations & maintenance (O&M) of a roadway to another party. Turn backs are sometimes pursued where highway facilities no longer function and/or serve the traveling public as originally intended, or in some cases, are replaced by other facilities. These events are often associated with local development and urbanization, leading to an increase in the number of access points and signalized intersections, which ultimately degrade the capacity and function of the highway. It is not uncommon for a highway, which has lost its high level functionality, relative to ADOT, to be relinquished to the local transportation authority (e.g., county, city, etc.). Often, the turn back includes the repair and/or upgrade of the ceded facility before the local entity will agree to ownership. Turn backs generally benefit both parties differently. Benefits for the State include less liability, less O&M costs, and fewer permit requests. Benefits for the local agency include a rehabilitated facility, full control of access permits and improved opportunity for signal timing.

# Initiating an IGA

When the need for an IGA is identified the PM is often the initiator of the drafting process. The need for an IGA is often described in the scoping document or discovered during interaction with project stakeholders. During interactions with project stakeholders, see questions below to help you define the funding needs and obligations for the project. An IGA may not be initiated before the project is established and a TRACS No. obtained. The PM will initiate the IGA request using the Comprehensive Agreement Resource (CAR) system. The JPA Group will draft the IGA verbiage, route it for reviews and obtain approvals from the PM, Finance (FMS), Right-of-Way, Attorney General, and the named party, which is generally the local agency. The JPA Group will execute the final approved and signed agreement, triggering FMS to invoice the local agency for any local funds required on the project.

All PMs have read-access to Comprehensive Agreement Resource (CAR) and must submit a Computer Access Request Form [CARF](http://azdot.gov/docs/default-source/business/joint-project-agreement-amendment-request-form.pdf?sfvrsn=6) requesting the “Submitter Role” in order to initiate and submit agreement requests. The CAR, <http://car/>, is a Web-based system utilized by the project PM to initiate a new IGA or IGA amendment, and serves as an agreement repository. CAR is utilized by the PM to describe the requested action including; a description of the project, entities involved and responsibilities of the entities named in the IGA. Below is the link to the JPA instructional guide for initiating and submitting agreement requests [JPA Instructional Guide for CAR](http://azdot.gov/docs/default-source/business/joint-project-administration---joint-project-agreement-instructional-tutorial.pdf?sfvrsn=2)

# Items to Consider before Initiating an IGA:

* Is there a State design review fee (PMDR)?
* If federally funded, is there a local match? If there is a local match, the match must be received by ADOT prior to project authorization and initiation. Finance generates an invoice for any matching funds listed in the IGA at time of agreement execution.
* What type of funding is being used for this project? Local, Federal, State?
* Who is responsible for costs over or ineligible for federal funding?