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1.0 PURPOSE:

The purpose of this document is to define the procedure for obtaining Inter-Local Agreements and Memorandums of Understanding that are critical to defining mutual project obligations with agencies and municipalities in order to fulfill project objectives.

2.0 GUIDING PRINCIPLE:

- 2.1 All NTTA project ILAs and MOUs shall comply with the NTTA's legal requirements and the procedures established herein.
- 2.2 All ILAs and MOUs shall be fully executed prior to construction letting, except in the case when an agency or municipality proposes an agreement after construction has begun.

3.0 RESPONSIBILITIES:

- 3.1 NTTA Legal Consultant – The legal consultant for the NTTA shall be responsible for preparing the draft ILA/MOU based upon the term sheet, addressing comments, and revising the ILA/MOU to reach final consensus.
- 3.2 ROW/Utility Manager – The ROW/Utility Manager shall be responsible to serve as a liaison between the NTTA and Legal Counsel to ensure agreements are understood and accurately documented.
- 3.3 Corridor Manager (CM)/Project Manager – The CM or Project Manager shall be responsible to ensure all agreement requirements are accurately communicated as design requirements to the DSE.
- 3.4 Design Section Engineer – The DSE shall be responsible for modifying designs in accordance with agreement requirements.

4.0 SCOPE/APPLICABILITY:

This procedure shall apply to all NTTA corridors and projects affecting access with neighboring agencies and municipalities.

5.0 REFERENCES:

- [AG-01](#) Term Sheet Criteria

6.0 DEFINITIONS & ACRONYMS

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7.0 PROCEDURES:

- 7.1 **Term Sheet** – Term sheet shall be prepared with resolutions reached per *AG-01, Term Sheet Criteria* procedure
- 7.2 **NTTA Legal Representative Prepares Draft ILA/MOU** – Using the term sheet as a guide, NTTA legal representative shall develop a first draft ILA/MOU and conduct internal review with ROW/Utility Manager, CM and appropriate PD staff and resolve all comments. NTTA PD shall submit the draft ILA/MOU to the applicable agencies or municipalities for their review and comment.
- 7.3 **NTTA Legal Representative Prepares 2nd Draft** – NTTA legal representative shall conduct internal meeting(s) with ROW/Utility Manager, CM and appropriate PD staff to resolve comments and then shall prepare and submit the second draft to the outside party/parties for review/comment, and shall continue to make edits as needed to obtain consensus.
- 7.4 This process shall be repeated until the ILA/MOU is executed, with a maximum time to reach consensus having been set and agreed upon by all parties.
- 7.5 **Final Approval** – Once final resolution has been reached, the ILA or MOU shall be reviewed and approved by the AED and if agreements include financial compensation, the final ILA or MOU shall be approved by the Board.

8.0 REGULATORY REQUIREMENTS:

N/A

9.0 RELATED BOARD POLICY:

N/A

10.0 COMPONENT DOCUMENTS:

N/A

11.0 REVISION HISTORY:

Revision	Revised by:	Date Issued	DRN	Reason for Revision
0	Dave Clarke	06/05/2008		Original Issue
1	Sylvia Ehret	8/10/2010	10225	Update referenced documents to reflect correct titles for consistency.

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12.0 FLOWCHART:

N/A
