

Mayor and Council Communication

DATE: 11/29/22

M&C FILE NUMBER: M&C 22-0990

LOG NAME: 2022 2018 RAILROAD TRE AT RIVERSIDE AFA - AMENDMENT 1

SUBJECT

(CD 8) Adopt a Resolution Authorizing Execution of Amendment No. 1 to the Advance Funding Agreement with the Texas Department of Transportation for the 2018 Railroad Trinity Railway Express at Riverside Drive Project to Increase Federal Funding to 100% from 63% and Decrease Indirect State Cost by \$177.00

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution authorizing execution of Amendment No. 1 to the Advance Funding Agreement with the Texas Department of Transportation for the 2018 Railroad Trinity Railway Express at Riverside Drive project to increase Federal participation to 100% from 63% and decrease indirect state cost by \$177.00 (City Secretary Contract No. 57854; CSJ # 0902-00-317) (City Project No. 104004).

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to adopt a resolution authorizing the execution of an amendment to an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) (City Secretary Contract No. 57854; CSJ# 0902-00-317) for an increase in Federal participation on the construction responsibilities to 100% from 63% and decrease indirect state cost by \$177.00. After the federal funding reaches the maximum obligated amount, the City will thereafter be responsible for cost overruns.

The City Council approved an Advance Funding Agreement (AFA) with TxDOT in the amount of \$489,675.00 on May 10, 2022 (M&C 22-0335) for the construction of the 2018 Railroad Trinity Railway Express at Riverside Drive project. The construction responsibility cost was estimated to be \$268,038.00, of which \$168,864.00 is federal participation and \$99,174.00 is the City's participation.

However, due to the Infrastructure Investment and Jobs Act (IIJA) provisions through Federal Highway Administration (FHWA), 100% of the construction estimate can now be covered by the Railway-Highway Crossing Section 130 Program fund. Therefore, this amendment No. 1 to City Secretary Contract No. 57854 is necessary. The following table summarizes the cost for the project:

Project Cost for the 2018 Bond RR TRE at Riverside (City Project No. 104004)			
Fund	Original Budget	Amendment	Revised Budget
Grant Capital Projects	\$268,038.00	Net Zero	\$268,038.00
Unappropriated Indirect State Cost	\$21,046.00	(\$177.00)	\$20,869.00
2018 Bond Program Fund	\$395,000.00	\$0.00	\$395,000.00
Grand Total	\$684,084.00	(\$177.00)	\$683,907.00

The project is located in COUNCIL DISTRICT 8.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: TXDOT

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations and execution of the amendment to the agreement, funds will

be available in the current capital budgets, as appropriated, in the Grants Capital Projects State Fund. The Transportation and Public Works Department (and Financial Management Services) will be responsible for the collection and deposit of funds due to the City. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds. This is a reimbursement grant.

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Expedited