

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 01/23/24M&C FILE NUMBER: M&C 24-0038

LOG NAME: 20MEANDERING ROAD AFA AMENDMENT 1

SUBJECT

(CD 7) Adopt a Resolution Authorizing Execution of Amendment Number 1 to an Advance Funding Agreement with Texas Department of Transportation for the Meandering Road Project to Increase Total Advance Funding Agreement Amount from \$19,066,865.00 to \$22,207,642.00 with City Participation in the Form of Regional Transportation Development Credits Increasing from \$3,463,963.00 to \$4,249,641.00, Adopt Appropriation Ordinances and Amend the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached resolution authorizing execution of Amendment Number 1 to the Advance Funding Agreement with the Texas Department of Transportation (City Secretary Contract No. 55206; CSJ # 0902-90-046 and #0902-90-172) for the Meandering Road Project (City Project No. 100873) to increase the total Advance Funding Agreement amount from \$19,066,865.00 to \$22,207,642.00 with City participation in the form of Regional Transportation Development Credits increasing from \$3,463,963.00 to \$4,249,641.00;
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Cap Projects Federal Fund, subject to the receipt of the grant in the amount of \$2,964,198.00 for the Meandering Road project (City Project No. 100873);
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Capital Project Other Fund, subject to the receipt of the grant in the amount of \$785,678.00 for the Meandering Road project (City Project No. 100873); and
4. Amend the Fiscal Years 2024-2028 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to adopt a resolution authorizing the execution of Amendment No. 1 to the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) (City Secretary Contract No. 55206; CSJ # 0902-90-046 and # 0902-90-172), increasing the total project cost to \$22,207,642.00, with corresponding increases in the Federal participation amount of \$2,964,198.00, State participation amount of \$176,579.00 and City participation in the form of Regional Transportation Development Credits (TDCs) in the amount of \$785,678.00 as well as to adopt appropriation ordinances to accept additional federal grant funds for the project and to track usage of Transportation Development Credits.

The City Council approved an AFA with TxDOT in the amount of \$19,066,865.00 on September 22, 2020 (M&C 20-0722) for engineering, right-of-way (ROW) acquisition, and construction of the Meandering Road project, including Meandering Road from State Highway (SH) 183 to Anahuac Avenue in the Cities of River Oaks and Fort Worth and LT JG Barnett Road from Meandering Road to the Naval Air Station Joint Reserve Base (NASJRB) East Gate in Fort Worth.

Amendment No. 1 is for additional engineering, ROW, utility relocation, and construction costs for the project. Additional federal funds in the amount of \$2,964,198.00 were approved by North Central Texas Council of Governments (NCTCOG) on 2/27/23 for this work and will be approved with this M&C. TxDOT will absorb the additional indirect costs of \$176,579.00 for providing statewide support services to this federally funded project. These state indirect costs will not be appropriated in our finance system. The City's required additional local match is being made with Regional Transportation Development Credits (TDCs) in the amount of \$785,678.00 which are appropriated and tracked as a non-spendable item in the Grants Capital Project Other Fund.

The following table displays what the revised Federal, State and Local participation amounts will be after approval of Amendment No. 1:

Description	Total Estimated Cost (Excludes Non-spendable TDC Local Participation column)	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	TDCs
Environmental (by LG)	\$457,585.00	100%	\$457,585.00	0%	\$0	0%	\$91,517.00
Engineering (by LG)	\$2,666,425.00	100%	\$2,666,425.00	0%	\$0	0%	\$533,285.00

ROW (by LG)	\$1,060,000.00	100%	\$1,060,000.00	0%	\$0	0%	\$212,000.00
Utility (by LG)	\$1,100,000.00	100%	\$1,100,000.00	0%	\$0	0%	\$220,000.00
Construction (by LG)	\$15,000,000.00	100%	\$15,000,000.00	0%	\$0	0%	\$3,000,000.00
Subtotal	\$20,284,010.00		\$20,284,010.00		\$0		\$4,056,802.00
Environmental Direct State Costs	\$26,965.00	100%	\$26,965.00	0%	\$0	0%	\$5,393.00
ROW Direct State Costs	\$20,000.00	100%	\$20,000.00	0%	\$0	0%	\$4,000.00
Engineering Direct State Costs	\$147,233.00	100%	\$147,233.00	0%	\$0	0%	\$29,446.00
Utility Direct State Costs	\$20,000.00	100%	\$20,000.00	0%	\$0	0%	\$4,000.00
Construction Direct State Costs	\$750,000.00	100%	\$750,000.00	0%	\$0	0%	\$150,000.00
Indirect State Costs	\$959,434.00	0%	\$0	100%	\$959,434.00	0%	\$0
Total	\$22,207,642.00		\$21,248,208.00		\$959,434.00		\$4,249,641.00

The following table displays the appropriation history for the project:

Fund	Existing Funding	Additional Funding	Project Total	Notes
31001 - Grants Cap Projects Federal Fund	\$18,284,010.00	\$2,964,198.00	\$21,248,208.00	Federal funding
31003 - Grants Capital Project Other Fund	\$3,463,963.00	\$785,678.00	\$4,249,641.00	Nonspendable - TDCs
39408 - Street Rehabilitation Fund	\$500,000.00	\$0.00	\$500,000.00	City funding for project management
Project Total	\$22,247,973.00	\$3,749,876.00	\$25,997,849.00	

Additional Federal funding for this project was not included in the Fiscal Years (FY) 2024-2028 Capital Improvement Program because the availability of the additional funding was unknown at the time of the development of the Capital Improvement Program. The action in this M&C will amend the FY2024-2028 Capital Improvement Program as approved in connection with Ordinance 26453-09-2023.

Business Equity: TxDOT has set a DBE goal for this project. Approval of this AFA Amendment Number 1 will not affect the DBE goal.

This project is located in COUNCIL DISTRICT 7 and the City of River Oaks.

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

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations, execution of the amendment, and adoption of the attached appropriation ordinances, funds will be available in the current capital budget, as appropriated, of the Grants Cap Projects Federal Fund and the

Grants Capital Project Other Fund. The Transportation and Public Works Department (and Financial Management Services) is responsible for the collection and deposit of funds due to the City. This is a reimbursement grant.

Submitted for City Manager's Office by: William Johnson 5806

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