

Mayor and Council Communication

DATE: 04/09/24

M&C FILE NUMBER: M&C 24-0278

LOG NAME: 20S HULEN ST AND OAKMONT BLVD AFA AMENDMENT # 1

SUBJECT

(CD 6) Adopt a Resolution Authorizing Execution of Amendment #1 to an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$664,120.00 with Federal Participation in the Amount of \$428,701.00, State Participation in the Amount of \$27,319.00 and Local Participation in the Amount of \$208,100.00 for the South Hulen Street and Oakmont Boulevard Highway Safety Improvement Project, Adopt Appropriation Ordinance 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 #1 to an Advance Funding Agreement (CSC No. 60426, CSJ# 0902-90-212) with the Texas Department of Transportation in the amount of \$664,120.00 with Federal participation in the amount of \$428,701.00, State participation in the amount of \$27,319.00 and Local participation in the amount of \$208,100.00 for the South Hulen Street and Oakmont Boulevard Highway Safety Improvement project (City Project No. 104039);
2. 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 \$42,870.00, all of which is non-spendable Transportation Development Credits for the purpose of funding South Hulen Street and Oakmont Boulevard Highway Safety Improvement project (City Project No. 104039); and
3. Amend the Fiscal Years 2024-2028 Capital Improvement Program.

DISCUSSION:

On October 17, 2023, Mayor and Council Communication (M&C) 23-0888 authorized execution of an Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TxDot) for the South Hulen Street and Oakmont Boulevard Highway Safety Improvement project in the amount of \$660,162.00 with Local participation in the approximate amount of \$250,970.00. After execution of the AFA, TxDOT provided notice that this project was approved for 100% Federal funding for construction, thereby decreasing Local cash participation for construction by \$42,870.00 by using Transportation Development Credits (TDCs). This Amendment # 1 reduces the City of Fort Worth's cash funding responsibility for the project by this amount and reflects increased Federal and State participation by the respective amounts of \$428,701.00 and \$3,958.00. The local participation funding savings will be used for project management, engineering, design services including Right-of-Way, and survey. Approval of recommendation 2 will allow for the adoption of a non-spendable appropriation ordinance in the Grants Capital Project Other Fund for the purpose of tracking the City's usage of TDCs.

The scope of this project includes improving traffic signals and constructing an additional northbound left turn lane at the intersection of South Hulen Street and Oakmont Boulevard.

This project will be let by TxDOT in August 2024. The State is responsible for all construction activities within the scope of this project. The State will be responsible for securing the Federal and State share of the funding required for the development and construction of the project. As this intersection is off-system, the AFA requires that the City of Fort Worth be responsible for cost overruns. At the end of the project, the asset will remain with the City of Fort Worth.

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	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost/TDC
Environmental (by LG)	\$20,060.00	0%	\$0.00	0%	\$0.00	100%	\$20,060.00
Engineering (by LG)	\$145,139.00	0%	\$0.00	0%	\$0.00	100%	\$145,139.00
Construction (by LG)	\$428,701.00	100%	\$428,701.00	0%	\$0.00	0%	\$42,870.00

Subtotal	\$593,900.00		\$428,701.00		\$0.00		\$165,199.00
Environmental Direct State Costs	\$1,003.00	0%	\$0.00	0%	\$0.00	100%	\$1,003.00
ROW Direct State Costs	\$1.00	0%	\$0.00	0%	\$0.00	100%	\$1.00
Engineering Direct State Costs	\$7,257.00	0%	\$0.00	0%	\$0.00	100%	\$7,257.00
Utility Direct State Costs	\$1.00	0%	\$0.00	0%	\$0.00	100%	\$1.00
Construction Direct State Costs	\$34,639.00	0%	\$0.00	0%	\$0.00	100%	\$34,639.00
Indirect State Costs	\$27,319.00	0%	\$0.00	100%	\$27,319.00	0%	\$0.00
Total	\$664,120.00		\$428,701.00		\$27,319.00		\$208,100.00

The following table displays the appropriation history for the project:

Fund	Existing Funding	Additional Funding	Project Total	Notes
34027 - 2022 Bond Program Fund	\$295,000.00	\$0.00	\$295,000.00	
30108 - Transportation Impact Fee Cap Fund	\$600,000.00	\$0.00	\$600,000.00	
31003 - Grants Capital Project Other Fund	\$0.00	\$42,870.00	\$42,870.00	Non-spendable - TDCs
Project Total	\$895,000.00	\$42,870.00	\$937,870.00	

The appropriation for non-spendable TDCs was not included in the Fiscal Years (FY) 2024-2028 Capital Improvement Program because the use of TDCs was not authorized 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 amendment will not affect the DBE goal.

This project is located in COUNCIL DISTRICT 6.

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, and adoption of the attached appropriation ordinances, funds will be available in the current capital budget, as appropriated, in the Grants Capital Project Other 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 expenditures being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds. This is a State Advance Funding Agreement.

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