

City of Fort Worth, Texas

Mayor and Council Communication

DATE: 06/25/24M&C FILE NUMBER: M&C 24-0566

LOG NAME: 20HORNE STREETSCAPE AFA AMENDMENT 1

SUBJECT

(CD 6) Adopt a Resolution Authorizing Execution of Amendment No. 1 to an Advance Funding Agreement with the Texas Department of Transportation for the Horne Street Streetscape Project to Increase the Amount from \$8,146,318.00 to \$9,364,758.00 with City Participation in the Form of Transportation Development Credits Increasing from \$1,460,283.00 to \$1,795,305.00, 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. 55194; CSJ # 0902-90-148) for the Horne Street Streetscape project (City Project No. 102764) to increase the total Advance Funding Agreement amount from \$8,146,318.00 to \$9,364,758.00 with City;
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 \$1,160,230.00 for the purpose of funding Horne Street Streetscape project (City Project No. 102764);
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 \$335,022.00 for the purpose of funding Horne Street Streetscape project (City Project No. 102764);
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 # 0902-90-148), increasing the total project cost to \$9,364,758.00, with corresponding increases in the Federal participation amount of \$8,146,318.00, State participation amount of \$176,579.00.

The City Council approved an AFA with TxDOT in the amount of \$8,146,318.00 on November 10, 2020 (M&C 20-0829) for engineering and construction of the Horne Street Streetscape project, including Horne Street Streetscape from Camp Bowie Blvd to West Vickery Blvd.

Amendment No. 1 is for additional engineering, right of way (ROW), and utility relocation costs for the project. Additional federal funds in the amount of \$1,675,109.00 were approved by North Central Texas Council of Governments (NCTCOG) for this work and will be approved with this M&C. TxDOT will absorb the additional indirect costs of \$58,208.00 for providing statewide support services to this federally funded project. These state indirect costs will not be appropriated in our finance system.

The funding breakdown after approval of the AFA amendment is shown below:

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	TDC
Environmental (by Local Government)	\$171,000.00	100%	\$171,000.00	0%	\$0	0%	\$34,200.00
Engineering (by Local Government)	\$949,053.00	100%	\$949,053.00	0%	\$0	0%	\$189,811.00
ROW (by Local Government)	\$414,792.00	100%	\$414,792.00	0%	\$0	0%	\$82,958.00
Utilities (by Local Government)	\$1.00	0%	\$0	0%	\$0	100%	\$1.00

Construction (by Local Government)	\$6,904,971.00	100%	\$6,904,971.00	0%	\$0	0%	\$1,380,994.00
Subtotal	\$8,439,817.00		\$8,439,816.00		\$0		\$1.00 (\$1,687,963.00 TDCs)
Environmental Direct State Costs	\$9,000.00	100%	\$9,000.00	0%	\$0	0%	\$1,800.00
Right of Way Direct State Costs	\$21,831.00	100%	\$21,831.00	0%	\$0	0%	\$4,366.00
Engineering Direct State Costs	\$71,659.00	100%	\$71,659.00	0%	\$0	0%	\$14,332.00
Utility Direct State Costs	\$1.00	0%	\$0	0%	\$0	100%	\$1.00
Construction Direct State Costs	\$434,218.00	100%	\$434,218.00	0%	\$0	0%	\$86,844.00
Indirect State Costs	\$388,232.00	0%	\$0	100%	\$388,232.00	0%	\$0
TOTAL	\$9,364,758.00		\$8,976,524.00		\$388,232.00		\$2.00 (\$1,795,305.00 TDCs)

The following table displays the appropriation history for the project:

Fund	Existing Funding	Additional Funding	Project Total	Notes
31001 - Grants Cap Projects Federal Fund	\$7,301,415.00	\$1,138,401.00	\$8,439,816.00	Federal funding
31001- Appropriated State Direct Cost	\$514,879.00	\$21,829.00	\$536,708.00	State Direct Cost
31003 - Grants Cap Projects Other Fund	\$1,460,283.00	\$335,022.00	\$1,795,305.00	Non-spendable - TDCs
Project Totals	\$9,276,577.00	\$1,495,252.00	\$10,771,829.00	

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 6.

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

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, in 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. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds. This is a State Advance Funding Agreement.

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Expedited