

A Resolution

NO. _____

A RESOLUTION AUTHORIZING AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$3,131,127.00, OF WHICH FEDERAL PARTICIPATION IS \$2,000,000.00, STATE PARTICIPATION IS \$131,416.00 AND CITY OF FORT WORTH PARTICIPATION IS \$999,711.00 PLUS ANY COST OVERRUNS FOR CONSTRUCTION OF SAFETY AND OPERATIONAL IMPROVEMENTS AT OAKLAND & MILLER SAFTE STREETS PROJECT (CITY PROJECT NO. 104803).

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purpose; and

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways and roads in cooperation with local governments, and Section 222.052 authorizes the Texas Department of Transportation Commission to accept contributions from political subdivisions for development and construction of public roads within political subdivisions; and

WHEREAS, a Master Agreement between the City of Fort Worth (“Local Government”) and the State of Texas acting through the Texas Department of Transportation (“State”) has been adopted and states the general terms and conditions for transportation projects developed through this Advance Funding Agreement (AFA); and

WHEREAS, Federal law, 23 USC §134 and 49 USC §5303, requires that State and Metropolitan Planning Organizations (MPOs) develop transportation plans and programs for urbanized areas of Texas; and

WHEREAS, federal and State laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds; and

WHEREAS, the Texas Transportation Commission has codified 43 TAC, Rules 15.50-15.56 that describe federal, State, and local responsibilities for cost participation in highway improvement and other transportation projects; and

WHEREAS, the rules and procedures for the Transportation Alternatives Set-Aside Program (TASA) are established in 23 USC §133(h), and 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418; and

WHEREAS, the Local Government prepared and submitted to the State or Metropolitan Planning Organization (MPO) a project nomination package for TASA funding consideration, which is briefly described as Oakland-Miller Safe Streets (Project); and

WHEREAS, the Texas Transportation Commission (Commission) passed Minute Order Number 116522 (MO) dated August 16, 2023 awarding funding for TASA projects in the TASA Program Call of the State, including Project;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, THAT:

The City Manager, or their designee, is authorized to execute an Advance Funding Agreement with the Texas Department of Transportation in the total estimated amount of \$3,131,127.00 with federal participation in the amount of \$2,000,000.00, state participation in the amount \$131,416.00 and city participation in the estimated amount of \$999,711.00 plus any cost overruns for construction of safety and operational improvements at Oakland & Miller Safe Streets Project (City Project No. 104803).

Adopted this _____ day of _____ 2024.

ATTEST

Jannette Goodall
City Secretary