

Mayor and Council Communication

DATE: 11/28/23

M&C FILE NUMBER: M&C 23-1013

LOG NAME: 2023 SH121 LANDSCAPE AFA

SUBJECT

(CD 11) Adopt a Resolution Authorizing the Execution of an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$521,246.00 of which \$205,194.00 is City Participation for the State Highway 121 Fort Worth Sign Landscaping 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 an Advance Funding Agreement (CSJ #0363-03-056) with the Texas Department of Transportation in the amount of \$521,246.00, of which \$205,194.00 is local participation for the State Highway 121 Fort Worth Sign Landscaping project (City Project No. C01639);
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Capital Project State Fund, subject to receipt of the grant, in the amount of \$265,000.00, all of which is state funding, for the purpose of funding the State Highway 121 Fort Worth Sign Landscaping project (City Project No. C01639);
3. Amend the Fiscal Years 2024-2028 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize acceptance of state funds in the amount of \$265,000.00 through the Texas Department of Transportation’s (TxDOT) Governors Community Achievement Award for implementation of the State Highway (SH) 121 Fort Worth Sign Landscape project located on westbound State Highway 121 in the north right-of-way median (TxDOT will contribute additional state funds of \$51,052.00 for project management costs during construction), to adopt a resolution authorizing the execution of an Advance Funding Agreement (AFA) with TxDOT and to appropriate funds for construction of the project.

Under a Final Design Contract (City Secretary Contract #52588) dated July 25, 2019, the Artist team and their subcontractors prepared and submitted to TxDOT 90% Construction Documents and the Environmental Submittal on August 29, 2021. Upon execution of the AFA, TxDOT’s Fort Worth Regional Offices will send the 90% Construction Documents to TxDOT’s State offices in Austin for review. After execution of the Advance Funding Agreement, issuance of 100% Construction Documents, approval of Final Design and receipt of Environmental Clearance, the project will be locally let by the City.

Project Description: This public art and landscaping project is designed as a visual reference to the “Old Road to the West”; as drivers approach downtown Fort Worth along SH121, large-scale Corten steel letters line up along embedded brick pavers and spell out “Fort Worth”; the letters will be lit at night and abundantly underplanted with native Texas wildflowers and grasses, the project will occupy an area measuring approximately 425 feet in length by 25 feet in width.

Funding for the final design of the project was appropriated and the project was included in the *Fort Worth Public Art Fiscal Year 2024 Annual Work Plan* adopted by the Fort Worth City Council on October 17, 2023, as M&C 23-0844;.

The City will be responsible for securing the state funding reimbursements for construction of this project and the City bears the responsibility to pay for cost overruns.

The table below summarizes the AFA funding amounts:

	Federal	State	Local	Total
Engineering & Environmental Costs			\$205,194.00	\$205,194.00
Construction		\$265,000.00		\$265,000.00
Unappropriated State Costs		\$51,052.00		\$51,052.00
AFA Totals	\$	\$316,052.00	\$205,194.00	\$521,246.00

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The table below summarizes the total project funding:

Fund	Existing Funding	Additional Funding	Project Total
30100-General Capital Projects Fund	\$224,441.96		\$224,441.96
39007-Specially Funded Projects Fund	\$205,194.00		\$205,194.00
31002-Grants Capital Project State Fund		\$265,000.00	\$265,000.00
Project Total	\$429,635.96	\$265,000.00	\$694,635.96

A future M&C will request authorization of a construction contract between the City and the lowest qualified bidder, to be paid for with Texas Governor's Community Achievement Award (GCAA) funds.

June 27, 2023 (M&C 23-0521), Fort Worth City Council authorized exchanging unexpended project funds from older Debt Proceeds with General Capital Project Funds; and authorized reallocating Unspecified Public Art Funds in the amount of \$224,441.96 to this project for City Inspection, City Project Management and contingencies during the construction phase. These additional \$224,441.96 in funds are not included in the AFA and Resolution; they will be in a future M&C associated with the future construction contract.

Funding is budgeted in the General Capital Projects Fund and the Specially Funded Projects Fund for the purpose of funding the State Highway 121 Fort Worth Sign Landscaping project.

The grant funding for this project was not included in the Fiscal Years 2024-2028 Capital Improvement Program (CIP) because grant funding is only appropriated at the time of receipt of the grant. The actions in this M&C will amend the Fiscal Years 2024-2028 Capital Improvement Program as approved in connection with Ordinance 26453-09-2023.

This project is located in COUNCIL DISTRICT 11.

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 ordinance, funds will be available in the current capital budget, as appropriated, in the Grants Capital Project State Fund, General Capital Projects Fund and the Specially Funded Projects 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 any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds. This is a reimbursement grant.

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

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