

Mayor and Council Communication

DATE: 09/17/24

M&C FILE NUMBER: M&C 24-0833

LOG NAME: 2022 HSIP E BERRY ST AT NEW YORK AVE AFA

SUBJECT

(CD 8) Adopt a Resolution Authorizing Execution of an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$877,233.00 with Federal Participation in the Amount of \$691,549.00, State Participation in the Amount of \$36,323.00 and Local Participation in the Amount of \$149,361.00 Plus Any Cost Overruns for the Intersection Improvements at E Berry Street at New York Avenue Project, Adopt Appropriation Ordinances and Amend the Fiscal Years 2024-2028 Capital Improvement Program (2022 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached resolution authorizing execution of an Advance Funding Agreement with the Texas Department of Transportation (CSJ# 0902-90-283) for intersection improvements at E Berry Street New York Avenue project in the amount \$877,233.00 with Federal participation in the amount of \$691,549.00, State participation in the amount of \$36,323.00 and local participation in the amount of \$149,361.00;
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Capital Projects Federal Fund, subject to receipt of the grant, in the amount up to \$691,549.00 for the purpose of funding E Berry Street New York Avenue project (City Project No. 105743);
3. Adopt the attached appropriation ordinance adjusting appropriations in the 2022 Bond Program Fund in the amount of \$149,361.00 by increasing appropriations in the E Berry Street New York Avenue project (City Project No. 105743) and decreasing appropriations in the Traffic Signals programmable project (City Project No. PB0006) by the same amount; 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 execution of an Advance Funding Agreement (AFA) with Texas Department of Transportation (TxDOT) in the amount of \$877,233.00 with City participation in the amount of \$149,361.00 for the intersection improvements at E Berry Street at New York Avenue project (City Project No. 105743).

The intersection improvements at E Berry Street at New York Avenue project intends to create a cost-effective solution to improve efficiency while increasing visibility, safety, and traffic flow. The scope of work for the project consists of installing new traffic signal, safety lighting, new pedestrian infrastructure, refresh pavement markings, and closure of driveways adjacent to intersection of East Berry Street and New York Avenue. Construction of the project will be the responsibility of TxDOT.

This project will be let by TxDOT in August 2026. 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. City funds appropriated for this project include professional services, local participation, and state construction direct cost. An advance payment to TxDOT is required in the amount of \$51,276.00 for this project. The final payment to TxDOT for local participation will be based on actual costs. The City bears the responsibility to pay for cost overruns. At the end of the project, the asset will remain with the City of Fort Worth.

The table below summarizes the AFA funding amounts:

Total AFA Funding Amounts for the Intersection Improvements at E Berry Street at New York Avenue project (City Project No. 105743)				
Fund	Federal	State	Local	Total
34027 - 2022 Bond Program Fund			\$149,361.00	\$149,361.00
Unappropriated State Costs		\$36,323.00		\$36,323.00

31001 - Grants Cap Projects Federal Fund - Federal Participation	\$691,549.00			\$691,549.00
Total:	\$691,549.00	\$36,323.00	\$149,361.00	\$877,233.00

The table below summarizes the total funding for the project:

Fund	Existing Funding	Additional Funding	Project Funding Total
34027 - 2022 Bond Program Fund	\$149,361.00	\$0.00	\$149,361.00
31001 - Grants Cap Projects Federal Fund	\$0.00	\$691,549.00	\$691,549.00
Project Total	\$149,361.00	\$691,549.00	\$840,910.00

This project is included in the 2022 Bond Program. The City's Extendable Commercial Paper (ECP) (M&C 22-0607; Ordinance 25675-08-2022) provides liquidity to support the appropriation. Available resources will be used to actually make any interim progress payments until debt is issued. Once debt associated with a project is sold, debt proceeds will reimburse the interim financing source in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance 25515-05-2022).

Funding for the grant portion of the project was not included in the Fiscal Years 2024-2028 Capital Improvement Program because grant funding is appropriated at the time of the grant award. The action in the 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 8.

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 Cap Projects Federal Fund and 2022 Bond Program Fund. The Transportation & 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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