

Mayor and Council Communication

DATE: 09/22/20

M&C FILE NUMBER: M&C 20-0722

LOG NAME: 20MEANDERING ROAD AFA & ILA

SUBJECT

(CD 7 and City of River Oaks) Authorize Execution of Amendment Number 1 to an Advance Funding Agreement with the Texas Department of Transportation for the Meandering Road - LT JG Barnett Road Project, Adopt a Resolution Authorizing Execution of an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$22,539,828.00 with Federal Participation in the Amount of \$18,284,010.00, State Participation in the Amount of \$782,855.00, and Local Participation in the amount of \$3,472,963.00 Using Transportation Development Credits for the Meandering Road – LT JG Barnett Road Project, Authorize Acceptance of Federal Funds in the Amount of \$18,284,010.00 from the Texas Department of Transportation, Authorize Execution of an Interlocal Agreement with the City of River Oaks, Texas for the Meandering Road-LT JG Barnett Road Project in River Oaks and Adopt Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of Amendment Number 1 to the Advance Funding Agreement with the Texas Department of Transportation for the Meandering Road - LT JG Barnett Road project (Control Section Job No. 0902-90-046; City Secretary Contract No. 48133);
2. Adopt the attached Resolution authorizing execution of an Advance Funding Agreement with the Texas Department of Transportation in the amount of \$22,539,828.00 with Federal participation in the amount of \$18,284,010.00, State participation in the amount of \$782,855.00, and Local participation in the amount of \$3,472,963.00 through the use of available Transportation Development Credits for the Meandering Road - LT JG Barnett Road project (Control Section Job No. 0902-90-046, 0902-90-172);
3. Authorize the City Manager to accept federal funds in the amount of \$18,284,010.00;
4. Adopt the attached appropriation ordinance adjusting appropriation in the Grants Capital Projects Federal Fund by increasing estimated receipts and appropriations in the amount up to \$18,284,010.00 for the Meandering Road - LT JG Barnett Road project (City Project No. 100873); and
5. Authorize the execution of an Interlocal Agreement with the City of River Oaks for the design and construction of the Meandering Road - LT JG Barnett Road project in River Oaks.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to terminate (by an amendment) the current Advance Funding Agreement (Control Section Job No. 0902-90-046; City Secretary Contract No. 48133) with the Texas Department of Transportation (TxDOT) due to changes in scope, schedule, and budget. For the final phases of the project (final design, property acquisition, utility relocation, and construction), a new Advance Funding Agreement (AFA) with TxDOT is being authorized as well as adoption of an appropriation ordinance to accept the federal grant funds for engineering, property acquisition, and construction for 0.75 miles of street reconstruction with three roundabouts on Meandering Road from State Highway (SH) 183 to Anahuac Avenue in River Oaks and LT JG Barnett Road from Meandering Road to Naval Air Station Joint Reserve Base (NASJRB) East Gate in Fort Worth.

On May 6, 2016, the City Council approved M&C C-27708 to execute the current AFA with TxDOT accepting \$1,000,000.00 of federal grant funds for preliminary engineering only. The City Council also approved M&C 19-0182 to appropriate \$500,000.00 of local funds to the project. To complete the next phases (final design, property acquisition, utility relocation, and construction), additional federal funding in the amount of \$18,284,010.00 is required. TxDOT will absorb the indirect cost for providing statewide support services to this federally funded project in the amount of \$782,855.00, which will not be appropriated in our finance system. An 80% (federal) to 20% (local) match is required for this AFA. However, Transportation Development Credits (TDCs) in the amount of \$3,472,963.00 are being used in lieu of the local match which will not be appropriated in our finance system. Other than utilizing city staff time and efforts, additional local funding is not required for this AFA.

The following tables summarizes the funding history, the additional funding requested, and the total costs for the project.

Funding History Summary for the Meandering Road Project (City Project No. 100873)

Fund	Federal	State	Local	Appropriation Amount	M&C No.
Grants Capital Projects Federal - 31001	\$1,000,000.00	-	-	\$1,000,000.00	C-27708

Unappropriated Indirect State Cost	-	\$60,610.00	-	-	C-27708
Unappropriated Transportation Development Credits (TDCs)	-	-	\$200,000.00	-	C-27708
Street Rehabilitation Local - 39408	-	-	\$500,000.00	\$500,000.00	19-0182
Subtotal	\$1,000,000.00	\$60,610.00	\$700,000.00	\$1,500,000.00	

Additional Funding Considered in this M&C for the Meandering Road Project (City Project No. 100873)

Fund	Federal	State	Local	Appropriation Amount
Grants Capital Projects Federal - 31001	\$18,284,010.00	-	-	\$18,284,010.00
Unappropriated Indirect State Cost	-	\$782,855.00	-	-
Unappropriated Transportation Development Credits (TDCs)	-	-	\$3,472,963.00	-
Subtotal	\$18,284,010.00	\$782,855.00	\$3,472,963.00	\$18,284,010.00

Total Project Costs for the Meandering Road Project (City Project No. 100873)

Fund	Federal	State	Local
Grants Capital Projects Federal - 31001	\$19,284,010.00	-	-
Unappropriated Indirect State Cost	-	\$843,465.00	-
Unappropriated Transportation Development Credits (TDCs)	-	-	\$3,672,963.00
Street Rehabilitation Local - 39408	-	-	\$500,000.00
Total Project Cost with all funding sources both appropriated and unappropriated: \$24,300,438.00			

To complete the construction of this project, Fort Worth and River Oaks have negotiated an Interlocal Agreement (ILA). River Oaks will acquire needed property within its city limits to accommodate the project. Under the ILA, Fort Worth will advance incremental payments (not-to-exceed \$600,000.00) to River Oaks as their property acquisition progresses. These payments will be reimbursed to Fort Worth under the new AFA with TxDOT. Since Fort Worth is managing all essential project phases (engineering, utility relocation, and construction) of the project, the ILA will also allow Fort Worth physical access to River Oak's right-of-way to complete design and perform construction of the project.

Construction is anticipated to start in January 2022 and finish July 2023.

This project is located in COUNCIL DISTRICT 7 and in the City of River Oaks, Mapsco 60Q, 60R, and 61N.

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 Cap Projects Federal 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 expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds. This is a reimbursement grant.

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