

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

AGENDA DATE: April 11, 2022
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez, (915) 212-1860
DISTRICT(S) AFFECTED: 4
STRATEGIC GOAL: No.7: Enhance and Sustain El Paso's Infrastructure Network
SUBGOAL: N/A

SUBJECT:

Discussion and action that the City Manager be authorized to sign an Advance Funding Agreement Amendment #2 by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the Sean Haggerty Drive Extension project, for the design of a four lane bridge with pedestrian facilities from Nathan Bay Drive to Dyer Street, revising the project to increase the construction amount by \$6,185,830.00, and amending the estimated total project cost to \$28,095,385.00, of which the estimated local government participation amount is \$1,832,997.00.

BACKGROUND / DISCUSSION:

This is an amendment to the original AFA for the design and construction of the Sean Haggerty extension. Through this amendment, construction funds were added that were requested by the City of El Paso and approved and reallocated by the El Paso Metropolitan Planning Organization.

PRIOR COUNCIL ACTION:

1/05/2021 – Advanced Funding Agreement approved by Council
6/07/2022 – Amendment #1 approved by Council

AMOUNT AND SOURCE OF FUNDING:

FHWA/TxDOT and CO's


HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ___ YES ___ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT:

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager be authorized to sign an Advance Funding Agreement Amendment #2 by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the Sean Haggerty Drive Extension project, for the design of a four lane bridge with pedestrian facilities from Nathan Bay Drive to Dyer Street, revising the project to increase the construction amount by \$6,185,830.00, and amending the estimated total project cost to \$28,095,385.00, of which the estimated local government participation amount is \$1,832,997.00.

APPROVED this _____ day of _____ 2023.

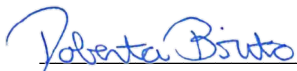
THE CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:


Laura D. Prine City
Clerk

APPROVED AS TO FORM:



Roberta Brito
Assistant City Attorney

APPROVED AS TO CONTENT:



Yvette Hernandez, P.E.
City Engineer

TxDOT:				Federal Highway Administration:	
CSJ #	0924-06-611			CFDA No.	20.205
District #	24- El Paso	AFA ID	Z00001482		
Code Chart 64 #	13400				
Project Name	Sean Haggarty Drive Extension			<i>AFA Not Used For Research & Development</i>	

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
AMENDMENT #2**

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and City of El Paso, acting by and through its duly authorized officials called the Local Government.

W I T N E S S E T H

WHEREAS, the State and the Local Government executed a contract on February 1,2021 and subsequently Amendment #1 on of June 22, 2022, to effectuate their agreement to construct Sean Haggerty Drive Extension and,

WHEREAS, it has become necessary to amend that contract;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the State and the Local Government do agree as follows:

A G R E E M E N T

1. Description of Amended Items

1. **Attachment A-1, Resolution, Ordinance, or Commissioners Court Order** is supplemented by adding Attachment A-2, Resolution, Ordinance, or Commissioners Court Order, dated xxxx , which is attached to and made part of this amendment

2. **Attachment B-1, Project Budget**, is deleted and replaced with Attachment B-2, Project Budget, which is attached to and made part of this amendment. The construction amount is increased by \$6,185,830.00 from \$19,249,189.00 to \$25,435,019.00. Construction funds are added that were approved and reallocated by the El Paso Metropolitan Planning Organization.

All other provisions of the original contract are unchanged and remain in full force and effect.

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

TxDOT:				Federal Highway Administration:	
CSJ #	0924-06-611			CFDA No.	20.205
District #	24- El Paso	AFA ID	Z00001482	CFDA Title	Highway Planning and Construction
Code Chart 64 #	13400				
Project Name	Sean Haggarty Drive Extension			<i>AFA Not Used For Research & Development</i>	

Each party is signing this amendment on the date stated under that party's signature.

THE LOCAL GOVERNMENT

THE CITY OF EL PASO

By: _____
 Samuel Rodriguez for Tomás González, City Manager

 Date

APPROVED AS TO CONTENT:

Yvette Hernandez

 Yvette Hernandez, P.E.
 City Engineer

APPROVED AS TO FORM:

Roberta Brito

 Roberta Brito
 Assistant City Attorney
 Date: 04/03/2023

THE STATE OF TEXAS

 Signature

Kenneth Stewart

 Typed or Printed Name

Director of Contract Services

 Typed or Printed Title

 Date

TxDOT:				Federal Highway Administration:	
CSJ #	0924-06-611			CFDA No.	20.205
District #	24- El Paso	AFA ID	Z00001482	CFDA Title	Highway Planning and Construction
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ATTACHMENT B-2 PROJECT BUDGET

Costs will be allocated based on 80% Federal funding and 20% Local Government funding, and 100% Federal funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

Description	Total Estimated Cost	Federal Participation		State Participation			Local Participation		
		%	Cost	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.
Engineering (by State)	\$1,262,000.00	0%	\$0	0%	100%	\$1,262,000.00	0%	0%	\$0
Environmental (by the State)	\$148,000.00	0%	\$0	0%	100%	\$148,000.00	0%	0%	\$0
Construction (by Local Government)									
Cat 7 STP-MM	\$24,131,181.00	80%	\$19,304,945.00	0%	12.6%	\$3,040,529.00	20%	7.4%	\$1,785,707.00
Cat 7 CRRSA	\$1,303,838.00	100%	\$1,303,838.00				0%	0%	\$0
Subtotal	\$26,845,019.00	0%	\$20,608,783.00	0%	0%	\$4,450,529.00	0%	0%	\$1,785,707.00
Environmental Direct State Costs	\$9,458.00	0%	\$0	0%	0%	\$0	100%	100%	\$9,458.00
Right of Way Direct State Costs	\$2,364.00	0%	\$0	0%	0%	\$0	100%	100%	\$2,364.00
Engineering Direct State Costs	\$11,823.00	0%	\$0	0%	0%	\$0	100%	100%	\$11,823.00
Utility Direct State Costs	\$2,364.00	0%	\$0	0%	0%	\$0	100%	100%	\$2,364.00
Construction Direct State Costs	\$21,281.00	0%	\$0	0%	0%	\$0	100%	100%	\$21,281.00
Indirect State Costs 4.73 %	\$1,203,076.00	0%	\$0	100%	0%	\$985,443.00	0%	0%	\$0
TOTAL	\$28,095,385.00	0%	\$20,608,783.00	0%	0%	\$5,435,972.00	100%	0%	\$1,832,997.00

Initial payment by the Local Government to the State: \$26,009.00
Payment by the Local Government to the State before construction: \$21,281.00
Total payment by the Local Government to the State: \$47,290.00

The total amount of Local Government participation shall not exceed the amount appearing above.