

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

AGENDA DATE: March 14, 2023
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez, (915) 212-1860
DISTRICT(S) AFFECTED: 2, 8
STRATEGIC GOAL: No.7: Enhance and Sustain El Paso's Infrastructure Network
SUBGOAL: N/A

SUBJECT:

That the City Manager is hereby authorized to sign an Amendment #1 to the Advance Funding Agreement between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, dated May 14, 2014 ("Original AFA"). The scope of work for the Original AFA were improvements to bridges along Interstate 10 along Porfirio Diaz Street to Missouri Avenue and aesthetic towers and bridge railing at the I-10/ US 54 Interchange between Copia Street and Chelsea Street. Amendment #1 replaces Attachment A of the Original AFA with attachment A-1, entitled Payment Provisions and Work Responsibilities, to reflect a decrease in the City's financial participation from \$10,000,000.00 to \$8,800,000.00.

BACKGROUND / DISCUSSION:

Aesthetic Improvements to include the following: bridge pedestrian railings, clean up and paint for bridges along Interstate 10, locations will be from Porfirio Diaz to Missouri Avenue (as identified as CSJ #2121-02-152 on page 1 of 2 of Attachment B) and the placement of Aesthetic Towers, bridge railings, and paint at direct connectors at Interstate 10 from Copia Street to Chelsea Street (as identified as CSJ #2121-02-155 on page 2 of 2 in Attachment B).

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager is hereby authorized to sign an Amendment #1 to the Advance Funding Agreement between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, dated May 14, 2014 (“Original AFA”). The scope of work for the Original AFA were improvements to bridges along Interstate 10 along Porfirio Diaz Street to Missouri Avenue and aesthetic towers and bridge railing at the I-10/ US 54 Interchange between Copia Street and Chelsea Street. Amendment #1 replaces Attachment A of the Original AFA with attachment A-1, entitled Payment Provisions and Work Responsibilities, to reflect a decrease in the City’s financial participation from \$10,000,000.00 to \$8,800,000.00.

APPROVED this ____ day of _____ 2023.

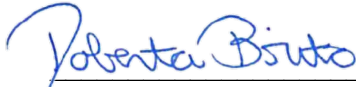
THE CITY OF EL PASO

Oscar Leaser
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 #	2121-02-152 and 2121-02-155			CFDA No.	20.205
District #	24-ELP	AFA ID	Z00004888	CFDA Title	Highway Planning and Construction
Code Chart 64 #	13400				
Project Name	1-10 Bridge Enhancement & Aesthetic Development			<i>AFA Not Used For Research & Development</i>	

STATE OF TEXAS §

COUNTY OF TRAVIS §

ADVANCE FUNDING AGREEMENT AMENDMENT #1

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

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on May 14, 2014 to effectuate their agreement to allow the Local Government to participate in an improvement generally described as Aesthetic Enhancements along Interstate 10 (Texas Transportation Commission Minute Order 113885) by funding that portion of the improvement described as Enhancement of Bridges along Interstate 10 from Porfirio Diaz Street to Missouri Avenue and Aesthetic Development Phase III from Copia Street (Loop 478) to Chelsea Street and,

WHEREAS, the Texas Department of Transportation's El Paso District, by letter dated May 13, 2014, notified the Local Government that the Local Government's participation would consist of an \$8,800,000 cash payment and a \$1,200,000 transfer from the I-10 at Airway Aesthetics project;

WHEREAS, it has become necessary to amend that contract to reflect the understanding of the parties;

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:

AGREEMENT

1. Description of Amended Items

Attachment A, Payment Provisions and Work Responsibilities, is deleted in its entirety and replaced by Attachment A-1, which is attached to and hereby made part of the contract.

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:	
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Code Chart 64 #	13400				
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Each party is signing this amendment on the date stated under that party's signature.

THE LOCAL GOVERNMENT

The City of El Paso

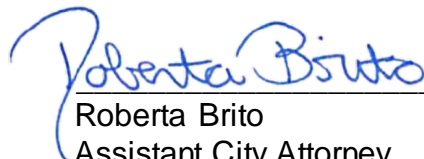
 Samuel Rodriguez, P.E. Chief Operations Officer
 For Tomás González, City Manager

 Date


 Yvette Hernandez, P.E.
 City Engineer

 3/6/23

Date


 Roberta Brito
 Assistant City Attorney

 03/06/2023

Date

THE STATE OF TEXAS

 Tomas Trevino, P.E.
 El Paso District Engineer
 Texas Department of Transportation

 Date

TxDOT:				Federal Highway Administration:	
CSJ #	2121-02-152 and 2121-02-155			CFDA No.	20.205
District #	24-ELP	AFA ID		CFDA Title	Highway Planning and Construction
Code Chart 64 #	13400				
Project Name	1-10 Bridge Enhancement & Aesthetic Development			AFA Not Used For Research & Development	

ATTACHMENT A PAYMENT PROVISION AND WORK RESPONSIBILITIES

The Local Government will participate in the cost of the construction of Enhancements and Aesthetic Improvements to include the following: bridge pedestrian railings, clean up and paint for bridges along Interstate 10, locations will be from Porfirio Diaz to Missouri Avenue (as identified as CSJ #2121-02-152 on page 1 of 2 of Attachment B) and the placement of Aesthetic Towers, bridge railings, and paint at direct connectors at Interstate 10 from Copia Street to Chelsea Street (as identified as CSJ #2121-02-155 on page 2 of 2 in Attachment B). The Local Government's participation is 88% of the cost of construction. and all overruns will be the responsibility of the State. Engineering and Environmental has been completed by TxDOT. The Local Government's estimated participation of this work is \$8,800,000 including all construction items and contingencies. The State has estimated the project budgets to be as follows:

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
CONSTRUCTION COSTS							
Bridge Crossings from Porfirio Diaz to Missouri Avenue CSJ 2121-02-152	\$5,000,000	0%	\$0	12%	\$600,000	88%	\$4,400,000
Aesthetic Improvements From Copia St to Chelsea St. CSJ 2121-02-155	\$5,000,000	0%	\$0	12%	\$600,000	88%	\$4,400,000
Subtotal	\$10,000,000	0%	\$0	0%	\$1,200,000	100%	\$8,800,000
Direct State Costs	\$25,000	0%	\$0	100%	\$25,000	0%	\$0
Indirect State Costs	\$483,000	0%	\$0	100%	\$483,000	0%	\$0
TOTAL	\$10,508,000	\$0		\$1,708,000		\$8,800,000	

Direct State Cost will be the responsibility of the State as these are on-system projects and will be based on actual charges.

Local Government's Participation (88%) = \$8,800,000

This is an estimate only, final participation amounts will be based on actual charges to the project.