

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

DEPARTMENT: Capital Improvement

AGENDA DATE: May 26, 2020

CONTACT PERSON/PHONE: Yvette Hernandez, P.E., CID Director of Grant Funded Programs, 212-1860
Sam Rodriguez, P.E., City Engineer, 212-0065

DISTRICT(S) AFFECTED: 2

STRATEGIC GOAL: No. 7: Enhance and Sustain El Paso's Infrastructure Network

SUBJECT:

That the City Manager be authorized to sign a funding amendment to the Local Transportation Project Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the Davis Dr. Bridge Replacement Project for the design and construction of an existing traffic bridge, for an estimated total project cost increase from \$757,169.00, with an estimated City match amount of \$75,717.00, to an estimated total project cost increase of \$843,390.00, with an estimated City match amount of \$84,339.00

BACKGROUND / DISCUSSION:

Davis Drive Bridge Replacement and Widening at Franklin Canal, project limits; on Davis Drive from Winchester Street to Kilburn Way, replace and widen existing structure. This advanced funding agreement with TxDOT allows for federal funding for design and construction. The City's required match for the Consolidated Structure Rehabilitation (Cat-6) funding is \$84,339.00

COUNCIL REPRESENTATIVE BRIEFING:

Was a briefing provided? ☐ Yes or ☒ Not Applicable (Routine)
If yes, select the applicable districts.

- ☐ District 1
- ☐ District 2
- ☐ District 3
- ☐ District 4
- ☐ District 5
- ☐ District 6
- ☐ District 7
- ☐ District 8
- ☐ All Districts

PRIOR COUNCIL ACTION:

February 2019 – Approval of LPAFA between City of El Paso and the State of Texas, through the Texas Department of Transportation

August 2019 – Amendment to indicate the City of El Paso would construct the bridges in lieu of State

AMOUNT AND SOURCE OF FUNDING:

CAT-6 & 2018 CO's

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:

Gvette Hernandez

RESOLUTION

WHEREAS, on February 26, 2019, the City Council entered into a Local Transportation Project Advance Funding Agreement (“LPAFA”) with the Texas Department of Transportation (“TxDOT”) for the Davis Drive Bridge Replacement Project (“Project”), for a total estimated cost of \$757,169.00; and an estimated City contribution of \$75,717.00.

WHEREAS, on August 6, 2019, the City Council approve an Amendment #1 to LPAFA to clarify that the City will carry out the construction responsibilities for the Project; and

WHEREAS, the City and TxDOT desire to enter into Amendment #2 to the LPAFA to amend the total project estimated cost and City estimated contribution as a result of additional funding from TxDOT for a scour analysis for the Project.

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

That the City Manager be authorized to sign an Amendment #2 to Local Transportation Project Advance Funding Agreement by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the Davis Drive Bridge Replacement Project (“Project”), to increase the funding for the Project for a scour analysis, and to amend the total estimated cost of the Project to \$843,390.00 and the City’s estimated participation amount to \$84,339.00 for the Project.

Adopted this ____ day of _____, 2020.

THE CITY OF EL PASO:

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Sol M. Cortez
Sol M. Cortez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Yvette Hernandez
Yvette Hernandez, P.E.
Grant Funded Program Director



MEMO

May 19, 2020.

To: Jamie Griffin
Bridge Division

From: Adriana Rodriguez
El Paso District

Subject: Transmittal of Advance Funding Agreement for Bridge Replacement or Rehabilitation off the State System Amendment
CSJ: 0924-06-419; Amendment #: 2
Local Government: The City of El Paso

The following information relates to this transmittal package:

Number of original counterparts for execution attached: [Click here to enter number.](#)

2. This standard Bridge Agreement amendment **has** / **has not** been modified. (circle one)
3. If modified, date of Bridge approval:
4. Modifications made are as follows: [Click here to enter text.](#)

Approval of this amendment is requested.

Attachment

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT AMENDMENT
For Bridge Replacement or Rehabilitation
Off the State System**

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 an agreement on April 15, 2019; and,

WHEREAS, it has become necessary to amend that agreement;

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

Amendment Item A – Attachment D, Estimate of Direct Costs is deleted in its entirety and replaced with Attachment D-1 of this amendment.

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

3. Signatory Warranty

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

CSJ # 0924-06-419
District # 24-El Paso
Code Chart 64 # 13400
Project: Davis Drive at Franklin Canal
NBI Structure # 24-072-B188-00-001
Federal Highway Administration
CFDA Title: Highway Planning and Administration
CFDA No.: 20.205
Not Research and Development

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

THE CITY OF EL PASO

By: _____
Tomás González, City Manager


Date

APPROVED AS TO CONTENT:



Yvette Hernandez, P.E.
Director of Grant Funded Programs

APPROVED AS TO FORM:



Sol M. Cortez
Senior Assistant City Attorney

THE STATE OF TEXAS

Graham Bettis, P.E.
Bridge Division Director
Texas Department of Transportation

Date

CSJ # 0924-06-419
 District # 24-El Paso
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ATTACHMENT D-1 ESTIMATE OF DIRECT COSTS

	<u>Estimated Cost</u>	<u>Local Government Participation</u>
Preliminary Engineering (PE)	<u>(1) \$326,341</u>	
Ten Percent (10%) or EDC Adjusted Percent of PE for Local Government Participation		<u>(3) \$32,634</u>
Construction	<u>\$470,045</u>	
Engineering and Contingency (E&C)	<u>\$47,004</u>	
The Sum of Construction and E&C	<u>(2) \$517,049</u>	
Ten Percent (10%) or EDC Adjusted Percent of the Sum of Construction and E&C for Local Government Participation		<u>(4) \$51,705</u>
Amount of Advance Funds Paid by Local Government *		<u>(5) \$84,339</u>
Amount of Advance Funds to be Paid by Local Government *		<u>(6)</u>
Balance of Local Government Participation which is to be Waived where the Project is a PWP		<u>(3+4-5-6)</u>
Total Project Direct Cost	<u>(1+2) \$843,390</u>	

*Credited Against Local Government Participation Amount

If this Project is to be a PWP, Amount of EMP Work Being Credited to this PWP as Shown
 on Attachment D-1. _____