

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

DEPARTMENT: Department of Transportation

AGENDA DATE: September 27, 2011

CONTACT PERSON NAME AND PHONE NUMBER: George Acosta, (915) 599-6202

DISTRICT(S) AFFECTED: 1, 2, 3, 5, 8

SUBJECT:

That the City Manager be authorized to sign an Amendment #1 to the Advance Funding Agreement between the City of El Paso ("City") and the State of Texas, acting by and through the Texas Department of Transportation ("State"), dated November 7, 2008. The scope for the original agreement was to reconstruct 15 intersections citywide to help reduce congestion and improve traffic flow along various corridors. With the available funding, no more than 7 intersections can be reconstructed. The amendment replaces Attachment C with Attachment C-1, entitled Project Budget, which aligns the available funding with the project scope. The amendment replaces Attachment B with Attachment B-1, entitled Project Location Map, which reduces the number of intersections from 15 to 7 locations. The 7 locations are: Yarbrough & Montana, Trawood & Montwood, Viscount & Acer, Sunland Park & Mall Exit, George Dieter & Montwood, George Dieter & Pellicano, and George Dieter & Vista Del Sol.

BACKGROUND / DISCUSSION:

The State and the Local Government executed a contract on November 7, 2008, to effectuate their agreement to reconstruct 15 intersections citywide to help reduce congestion and improve traffic flow along various corridors and may include lengthening left turn bays, providing dual left turn lanes, adding right turn lanes and modifications or additions to traffic control devices to enhance the safety and efficiency of the roadway system. Safety enhancements for pedestrians at the intersections include sidewalks and accessibility improvements.

PRIOR COUNCIL ACTION:

City Council approved Local Project Advance Funding Agreement for 15 intersections citywide on November 7, 2008.

AMOUNT AND SOURCE OF FUNDING:

No local funding is necessary. Total project cost is \$1,136,000.

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:



Darryl W. Cole, Director
Department of Transportation

Information copy to appropriate Deputy City Manager

RESOLUTION

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

That the City Manager be authorized to sign an Amendment #1 to the Advance Funding Agreement between the City of El Paso ("City") and the State of Texas, acting by and through the Texas Department of Transportation ("State"), dated November 7, 2008. The scope of work for the original agreement was to reconstruct 15 intersections citywide to help reduce congestion and improve traffic flow along various corridors. The amendment replaces Attachment B with Attachment B-1, entitled Project Location Map, which reduces the number of intersection from 15 to 7 locations, and replaces Attachment C with Attachment C-1, entitled Project Budget, which changes the funding to account for a decrease in construction funds as a result of the reduction in the project scope.

ADOPTED this _____ day of September, 2011.

THE CITY OF EL PASO

John Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elizabeth M. Ruhmann
Assistant City Attorney

APPROVED AS TO CONTENT:



Daryl W. Cole, Director
Department of Transportation

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, called the State, and the 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 November 7 of 2008 to effectuate their agreement to reconstruct 15 intersections citywide to help reduce congestion and improve traffic flow along various corridors and may include lengthening left turn bays, providing dual left turns lanes, adding right turn lanes and modifications or additions to traffic control devices to enhance the safety and efficiency of the roadway system. Safety enhancements for pedestrians at the intersections include sidewalks and accessibility improvements; and,

WHEREAS, it has become necessary to amend that contract to decrease the number of locations of intersection improvements from 15 locations to 7 locations;

WHEREAS, it has become necessary to amend that contract to account for a decrease in construction funds which resulted from the reduction in project scope;

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

Attachment C, Project Budget Estimate and Source of Funds, of the original agreement is deleted in its entirety and replaced with the attached Attachment C-1, Project Budget Estimate and Source of Funds, and;

Attachment B, Project Location Map, of the original agreement is deleted in its entirety and replaced with the attached Attachment B-1, Project Location Map;

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.

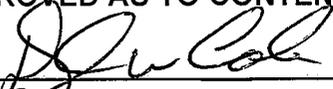
THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

By: _____
Joyce Wilson, City Manager

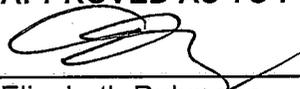
Date: _____

APPROVED AS TO CONTENT:



Daryl Cole
Director, Department of Transportation

APPROVED AS TO FORM:



Elizabeth Ruhmann
Assistant City Attorney

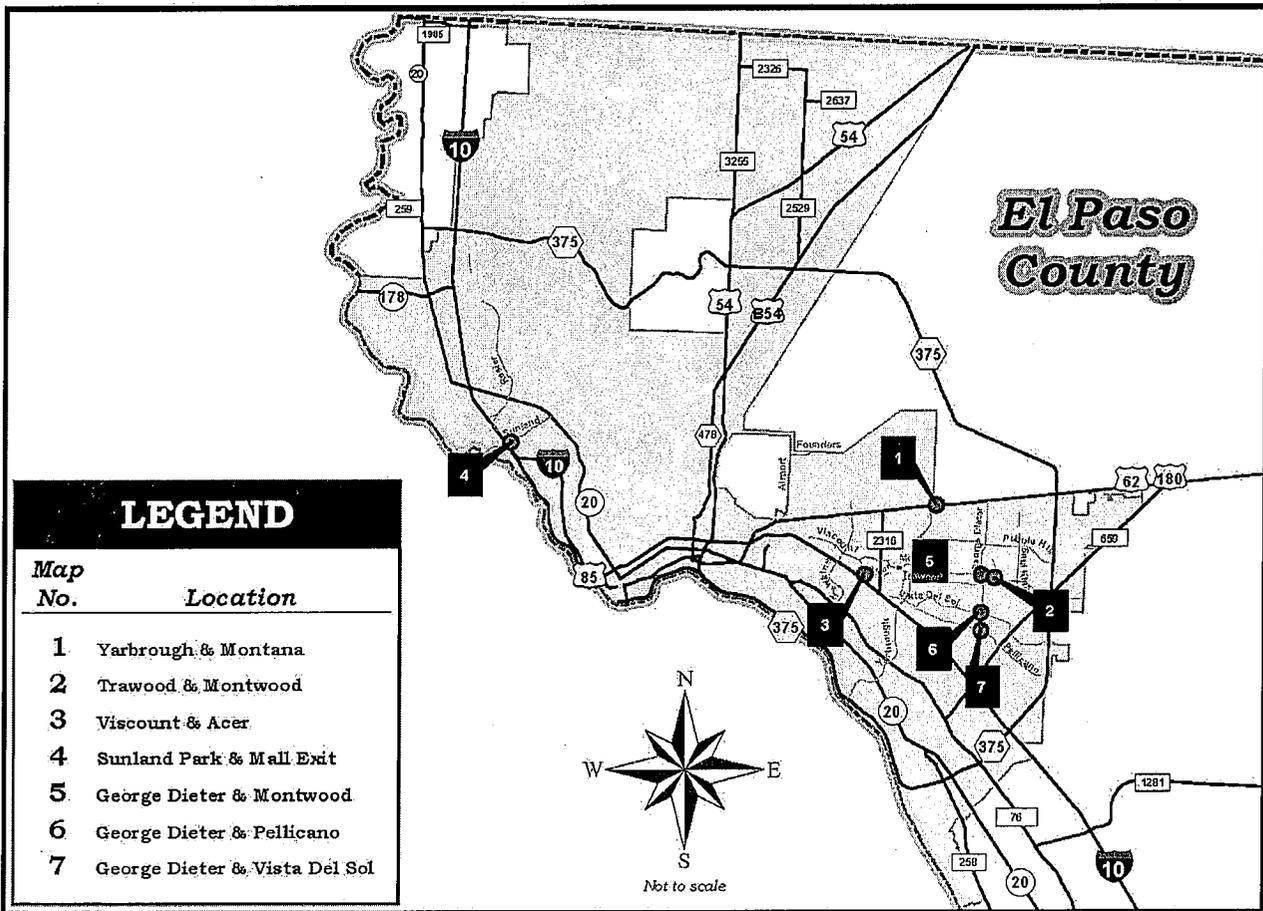
THE STATE OF TEXAS

Janice Mullenix
Director of Contract Services
Texas Department of Transportation

Date

**ATTACHMENT B-1
 PROJECT LOCATION MAP**

City of El Paso, Texas



CSJ 0924-06-303
Intersection Improvements
at 7 Intersections Citywide

**ATTACHMENT C-1
 PROJECT BUDGET**

Description	Total Estimate Cost	Federal Participation	State Participation	Local Participation
		100% Match		
Land (no cash contribution)	NA			
Utilities (no cash contribution)	NA			
Environmental (no cash contribution)	NA			
Preliminary Engineering	\$200,000	\$200,000		
Construction	\$800,000	\$800,000		
SUBTOTAL	\$1,000,000	\$1,000,000		
Direct State Costs (administration costs which include plan review, inspection and oversight)	\$88,000	\$88,000		
Indirect State Costs (no local participation required except for service projects)	\$48,000	\$48,000		
TOTAL	\$1,136,000	\$1,136,000		
<i>Payment due prior to any work by the State</i>	NA			
<i>No Payment Required: Balance of Local Participation by Reimbursable type of agreement</i>	NA			

Total participation required from the local government = \$0