

CSJ #: 0918-47-272
District #: 18 - Dallas
Code Chart 64 #: 14250
Project: Westside Art Trail
Federal Highway Administration
CFDA Title: Highway Planning and Construction
CFDA No.: 20.205
Not Research and Development

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 Farmers Branch, 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 April 21, 2021 to effectuate their agreement to construct a 12-foot wide shared-use path, Westside Art Trail, from Campion Trail to Mercer Parkway Street and from Emerald Street to Denton Drive in the City of Farmers Branch; and,

WHEREAS, it has become necessary to amend that contract to adjust the local funding participation with no overall change to the project budget;

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

- I. Attachment C, Project Budget Estimate and Source of Funds** of the original agreement is deleted in its entirety and replaced with:

Attachment C-1. Project Budget Estimate and Source of Funds which is attached and made part of this Agreement. The total agreement amount remains the same. The Local Government is responsible for 100% of the direct state costs.

- II. All references to Attachment C, Project Budget Estimate and Source of Funds**, of the original agreement are replaced with **Attachment C-1, Project Budget Estimate and Source of Funds**.

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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.


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

DocuSigned by: THE LOCAL GOVERNMENT – City of Farmers Branch

By: 
4D7BF8DC15FB48F
Charles S. Cox
City Manager
City of Farmers Branch

Date: 10/21/2021

DocuSigned by: THE STATE OF TEXAS

By: 
F1CDA80FDB8C4B6
Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

Date: 10/22/2021

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ATTACHMENT C-1 PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS

Costs will be allocated based on 100% Federal funding until the Federal funding reaches the maximum obligated amount. The Local Government will be responsible for 100% of TxDOT's direct state cost for design review. TDC credits will be used in lieu of the Local Government participation for the construction and direct state costs. The Local Government will then be responsible for 100% of the project cost overruns.

Description	Total Estimate Cost	Federal Participation		State Participation		Local Participation		Local Participation
		%	Cost	%	Cost	%	Cost	
Construction (By Local)	\$4,500,267	100%	\$4,500,267	0%	\$0	0%	\$0	900,053
Subtotal	\$4,500,267		\$4,500,267		\$0		\$0	900,053
Direct State Costs (ENG)	\$22,729	0%	\$0	0%	\$0	100%	\$22,729	0
Direct State Costs (CONST)	\$22,729	100%	\$22,729	0%	\$0	0%	\$0	9,092
Subtotal	\$45,458		\$22,729		\$0		\$22,729	9,092
Indirect State Costs (4.52%)	\$205,467	0%	\$0	100%	\$205,467	0%	\$0	0
TOTAL	\$4,751,192		\$4,522,996		\$205,467		\$22,729	909,145

Transportation Development Credits in the amount of **909,145** will be used in lieu of the Local Government participation.

Total Reimbursable Costs = **\$4,522,996.**

Total Reimbursable Costs to the Local Government = **\$4,500,267.**

The Local Government's 100% participation = **\$22,729** due upon the execution of this amendment.

This is an estimate. The final amount of the Local Government participation will be based on actual costs.