

<b>TxDOT:</b>				<b>Federal Highway Administration:</b>	
<b>CCSJ #</b>	<b>0918-47-272</b>	<b>AFA ID</b>	<b>Z00002006</b>	<b>CFDA No.</b>	<b>20.205</b>
<b>AFA CSJs</b>	<b>0918-47-272</b>			<b>CFDA Title</b>	<b>Highway Planning and Construction</b>
<b>District #</b>	<b>18</b>	<b>Code Chart 64#</b>	<b>14250</b>		
<b>Project Name</b>	<b>Westside Art Trail</b>			<b>AFA Not Used For Research &amp; Development</b>	

THE STATE OF TEXAS               §

THE COUNTY OF TRAVIS           §

**ADVANCE FUNDING AGREEMENT**  
**For**  
**Congestion Mitigation and Air Quality (CMAQ) Program Project**  
**Utilizing Transportation Development Credits (TDC)**  
**Off-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 the **City of Farmers Branch**, acting by and through its duly authorized officials, called the “Local Government”. The State and Local Government shall be collectively referred to as “the parties” hereinafter.

**WITNESSETH**

**WHEREAS**, the parties 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**, the parties executed Amendment #1 to the contract on **October 22, 2021** to adjust the local funding participation with no overall change to the project budget; and,

**WHEREAS**, it has become necessary to amend that contract in order to adjust the federal participation and correct the local participation;

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

**AGREEMENT**

1. The parties agree that the Agreement is amended as follows:

Attachment C-1, **Project Budget Estimate and Source of Funds**, is deleted in its entirety and replaced with Attachment C-2, **Project Budget Estimate and Source of Funds**, which is attached to and made a part of this Amendment. The total estimated cost of the Project increased by \$ 22,729, from \$ 4,751,192 to \$ 4,773,921, due to an oversight. The local government agreed to pay for direct state cost of engineering so the cost was shown as 100% local government participation, but the amount of the direct state cost was not added back into the construction cost on Amendment #1.

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

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District #	18	Code Chart 64#	14250		
Project Name	Westside Art Trail			AFA Not Used For Research & Development	

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 Agreement on the date stated under that party’s signature.

THE STATE OF TEXAS

DocuSigned by:  
*Kenneth Stewart*  
F1CDA80FDB8C4B6...

Signature

Kenneth Stewart

Typed or Printed Name

Director, Contract Services

Typed or Printed Title

1/15/2025

Date

THE LOCAL GOVERNMENT

Signed by:  
*Benjamin W. Williamson*  
BD46B4966744471...

Signature

Benjamin W. Williamson

Typed or Printed Name

City Manager

Typed or Printed Title

1/14/2025

Date

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**ATTACHMENT C-2  
PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS**

Construction 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	
		%	Cost	%	Cost	%	Cost
Construction (By Local)	\$4,522,996	100%	\$4,522,996	0%	\$0	0%	TDC 904,599
<b>Subtotal</b>	<b>\$4,522,996</b>		<b>\$4,522,996</b>		<b>\$0</b>		<b>TDC 904,599</b>
Direct State Cost (ENG)	\$5,683	0%	\$0	0%	\$0	100%	\$5,683
Direct State Cost (ENV)	\$5,682	0%	\$0	0%	\$0	100%	\$5,682
Direct State Cost (ROW)	\$5,682	0%	\$0	0%	\$0	100%	\$5,682
Direct State Cost (UTL)	\$5,682	0%	\$0	0%	\$0	100%	\$5,682
Direct State Costs (CONST)	\$22,729	100%	\$22,729	0%	\$0	0%	TDC 4,546
<b>Subtotal</b>	<b>\$45,458</b>		<b>\$22,729</b>		<b>\$0</b>		<b>\$22,729 (TDC 4,546)</b>
Indirect State Costs (4.52%)	\$205,467	0%	\$0	100%	\$205,467	0%	\$0
<b>TOTAL</b>	<b>\$4,773,921</b>		<b>\$4,545,725</b>		<b>\$205,467</b>		<b>\$22,729 (TDC 909,145)</b>

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

Total Reimbursable Costs = \$4,545,725.

Total Reimbursable Costs to the Local Government = \$4,522,996.

The Local Government's 100% participation = \$22,729 due upon the execution of this amendment.  
Paid on 9/23/2021.

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