

CAMINO REAL REGIONAL MOBILITY AUTHORITY BOARD RESOLUTION

WHEREAS, the Camino Real Regional Mobility Authority (CRRMA) entered into an interlocal agreement with the County of El Paso (County), whereby the County authorized the CRRMA to provide Vehicle Registration Fee bond proceeds to the Texas Department of Transportation (TxDOT) for the construction of the FM3380 (Manuel F. Aguilera) Project, as identified in the 2013 El Paso County Comprehensive Mobility Plan (Aguilera Project); and

WHEREAS, TxDOT and the CRRMA entered into a Local Project Advance Funding Agreement (LPAFA) for the construction of the Aguilera Project, whereby the CRRMA provided certain funds to TxDOT for such project; and

WHEREAS, TxDOT has completed construction activities for the Aguilera Project, but did not require all of the funds originally made available by the CRRMA through the LPAFA, and therefore, TxDOT and the CRRMA desire to amend the LPAFA to reduce the amount of funds to be provided by the CRRMA.

NOW, THEREFORE, BE IT RESOLVED BY THE CAMINO REAL REGIONAL MOBILITY AUTHORITY:

THAT the CRRMA's Executive Director is authorized to execute an amendment to the Local Project Advance Funding Agreement for the FM3380 (Manuel F. Aguilera) Project with the Texas Department of Transportation.

PASSED AND APPROVED THIS 11TH DAY OF JULY 2018.

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

Susan A. Melendez, Chair

ATTEST:

Joe R. Fernandez, Board Secretary

APPROVED AS TO CONTENT:

Raymond L. Telles
Executive Director

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 Camino Real Regional Mobility Authority, acting by and through its duly authorized officials, called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on July 10 of 2015 to effectuate their agreement to construct FM 3380 (Manuel F. Aguilera Highway) a new location non-freeway facility from SH 20 (Alameda Avenue) to I-10; and,

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:

AGREEMENT

1. Description of Amended Items

- I. Attachment A, Resolution or Ordinance of the original agreement is modified by adding Attachment A-1.
- II. 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, to account for a decrease of \$3,445,722.10 in construction funds which resulted from an underrun in the project's letting. Construction decreased by \$3,445,722.10 from \$20,345,596 to \$16,899,873.92.

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

Signature

Raymond L. Telles

Typed or Printed Name

Executive Director

Title

Date

THE STATE OF TEXAS

Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

Date

**ATTACHMENT A-1
RESOLUTION OR ORDINANCE**

DRAFT

ATTACHMENT C PROJECT BUDGET

Costs will be allocated based on a fixed amount of Local Government funding until Local Government funding reaches the maximum obligated amount. The State will then be responsible for 100% of the costs.

Description	Total Estimate Cost	Federal Participation		State Participation		Local Participation	
		\$	Cost	\$	Cost	\$	Cost
CONSTRUCTION COSTS							
Construction (by the State)	\$16,899,873.92		\$0		\$0		\$16,899,873.92
Subtotal	\$16,899,873.92		\$0		\$		\$16,899,873.92
Direct State Costs (including, construction inspection and oversight)	\$12,922		\$0		\$0		\$12,922
Indirect State Costs (no local participation required except for service projects)	\$1,176,789		\$0		\$ 1,176,789		\$0
TOTAL	\$18,089,584.92		\$0		\$1,176,789		\$16,912,795.92