

**CAMINO REAL REGIONAL MOBILITY AUTHORITY
BOARD RESOLUTION**

WHEREAS, El Paso County, Texas (County) and the Camino Real Regional Mobility Authority (CRRMA) have entered into an Interlocal Agreement – Engineering Services for Design of the O.T. Smith Hike and Bike Trail dated September 17, 2018 (Interlocal), which provided funds necessary for the development of the design services for a shared use path along O.T. Smith Road (the “Project”); and

WHEREAS, the County, in coordination with the Texas Department of Transportation, has determined that certain revisions to the design services are necessary; and

WHEREAS, the CRRMA and the County now desire to execute a First Amendment to the Interlocal to allow for the CRRMA to provide the additional design services requested by the County.

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

THAT the Chair be authorized to execute a **First Amendment to the Interlocal Agreement – Engineering Services for Design of the O.T. Smith Hike and Bike Trail** with El Paso County, including any additional documents or materials as may be required, for the provision of additional design services for the O.T. Smith Shared Use Path Project.

PASSED AND APPROVED THIS 8TH DAY OF MAY 2019.

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

ATTEST:

Joyce A. Wilson, Chair

Joe R. Fernandez, Board Secretary

APPROVED AS TO CONTENT:

Raymond L. Telles Executive Director

**FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT
ENGINEERING SERVICES FOR DESIGN OF THE
O.T. SMITH HIKE AND BIKE TRAIL**

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT (the “Amendment”) is made and entered into effective as of the _____ day of _____, 2019, by and between EL PASO COUNTY, TEXAS (the “County”) and the CAMINO REAL REGIONAL MOBILITY AUTHORITY (“CRRMA”), (each a “Party” and collectively, the “Parties”), for the purposes described herein.

WITNESSETH:

WHEREAS, the County is a political subdivision of the State of Texas; and

WHEREAS, the CRRMA is a regional mobility authority created pursuant to the request of the City of El Paso and operating pursuant to Chapter 370 of the Texas Transportation Code (the “RMA Act”) and 43 TEX. ADMIN. CODE §§26.1 *et seq.* and is a body politic and corporate and political subdivision of the State; and

WHEREAS, Chapter 791 of the Texas Government Code provides that any one or more public agencies may contract with each other for the performance of governmental functions or services in which the contracting parties are mutually interested; and

WHEREAS, each Party is paying for the performance of governmental functions or services from current funds available to the paying Party; and

WHEREAS, Section 370.033 of the RMA Act permits the CRRMA to enter into an agreement under which the CRRMA may acquire, plan, design, construct, maintain, repair, or operate a transportation project on behalf of another governmental entity if the transportation project is located in the CRRMA’s area of jurisdiction or in a county adjacent to the CRRMA’s area of jurisdiction; and

WHEREAS, the County and CRRMA entered into an Interlocal Agreement – Engineering Services for Design of the O.T. Smith Hike and Bike Trail dated September 17, 2018 (the “Interlocal Agreement”), which provided funds necessary for the development of the design services a shared use path along O.T. Smith Road (the “Project”); and

WHEREAS, the Parties now desire to amend the Interlocal Agreement for the provision of additional funds necessary for certain landscaping and design revisions requested by El Paso County per coordination with the Texas Department of Transportation.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the undersigned Parties agree as follows:

1. Replacement of EXHIBIT “C”. The parties hereby agree to delete **EXHIBIT “C”** from the Interlocal Agreement in its entirety and replace it with **EXHIBIT “C-1”**, which is attached hereto and incorporated herein for all purposes.

2. Ratification. Except as expressly amended by this Amendment, the Interlocal Agreement and its exhibits shall remain in full force and effect.

3. Execution in Counterparts. This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

IN WITNESS WHEREOF, the Parties have executed and attested this Amendment by their officers thereunto duly authorized.

EL PASO COUNTY, TEXAS

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

By: _____
Ricardo Samaniego
County Judge

By: _____
Joyce A. Wilson
Chair

ATTEST:

By: _____
Joe R. Fernandez
Board Secretary

EXHIBIT “C-1”

CSJ: 0924-06-560
O.T. SMITH SHARED USE PATH PROJECT
ESTIMATED PROJECT BUDGET

DESCRIPTION	TOTAL ESTIMATED COST
LAND	\$0
UTILITY RELOCATION	\$0
RAIL ROAD PERMIT & SERVICES	\$0
ENVIRONMENTAL & PRELIMINARY ENGINEERING	\$469,398.28
CONSTRUCTION*	\$0
MISCELLANEOUS	\$0
TOTAL	\$469,398.28