

**CAMINO REAL REGIONAL MOBILITY AUTHORITY
BOARD RESOLUTION**

WHEREAS, the Camino Real Regional Mobility Authority (CRRMA) has entered into a Master Agreement Governing Local Transportation Project Advance Funding Agreements with the Texas Department of Transportation (TxDOT);

WHEREAS, the CRRMA subsequently entered into an Advance Funding Agreement with TxDOT, dated July 10, 2015 (AFA), for the FM3380 (Manuel F. Aguilera) Project (the Project), a 2013 El Paso County Comprehensive Mobility Plan Project, whereby the CRRMA was to make certain optional vehicle registration fee bond proceeds available to TxDOT for construction of the Project; and

WHEREAS, TxDOT and the CRRMA now desire to execute an amendment to the AFA, whereby the total funds required to be provided by the CRRMA to TxDOT are reduced.

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 Advance Funding Agreement for the FM3380 (Manuel F. Aguilera) Project with the Texas Department of Transportation.

PASSED AND APPROVED THIS 12TH DAY OF JUNE 2019.

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

Joyce A. Wilson, 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.

W I T N E S S E T H

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:

A G R E E M E N T

1. Description of Amended Items

- I. Attachment A, Resolution or Ordinance of the original agreement is modified by adding Attachment A-1, Resolution or Ordinance which is attached and made a part of this agreement.
- II. Attachment C, Project Budget, of the original agreement is deleted in its entirety and replaced with:
Attachment C-1 Project Budget which is attached and made a part of this agreement, to account for a decrease of \$2,905,976.78 in construction funds which resulted from an underrun in the project's letting. Construction decreased by \$2,905,976.78 from \$20,345,596.00 to \$17,439,619.22. The total contract amount decreased by \$2,905,976.78 from \$21,535,307.00 to \$18,629,330.22.

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.

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

CSJ # 0924-06-311
District # 24-EL PASO
Code Chart 64 # 60341
Project: FM3380 (Manuel F. Aguilera)
Federal Highway Administration
CFDA Title: Highway Planning and Construction
CFDA No.: 20.205
Not Research and Development

**ATTACHMENT A-1
RESOLUTION OR ORDINANCE**

ATTACHMENT C-1 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) | \$17,439,619.22 | | \$0 | | \$0 | | \$17,439,619.22 |
| Subtotal | \$17,439,619.22 | | \$0 | | \$ | | \$17,439,619.22 |
| 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 | \$18,629,330.22 | | \$0 | | \$1,176,789 | | \$17,452,541.22 |