

January 22, 2025

WHEREAS, on June 12, 2024, the City Council authorized an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) to accept federal funding from the Surface Transportation Block Grant Program in the amount of \$3,000,000.00 as federal share in the total project cost of \$3,135,240.00 (includes \$2,940,000.00 in Federal reimbursement, \$60,000.00 in direct state costs, \$135,240.00 in indirect state costs, and the City of Dallas's portion covered by the use of 600,000 regional Transportation Development Credits in lieu of a local cash match) for engineering costs to reconstruct the intersection at Harry Hines Boulevard and Mockingbird Lane in the city of Dallas by Resolution No. 24-0862; and

WHEREAS, the City of Dallas and TxDOT executed a contract on September 5, 2024, to effectuate their agreement for engineering to reconstruct the intersection at Harry Hines Boulevard and Mockingbird Lane in the city of Dallas ("Project"); and

WHEREAS, in October 2024, additional funding was authorized for construction of the Project, deeming it necessary to amend the agreement to add the construction phase and funding; and

WHEREAS, in consideration of the premises and of the mutual covenants and agreements of the parties, the parties do agree to amend: (a) Article 1, Responsible Parties, is deleted in its entirety and replaced with a table stating that the City of Dallas is responsible for administering the environmental assessment and mitigation, architectural and engineering services, and construction of the Project; (b) Article 3, Scope of Work, is deleted in its entirety and replaced with: "The scope of work for the Project consists of engineering and construction to reconstruct the intersection at Harry Hines Boulevard at Mockingbird Lane in the City of Dallas."; and (c) Attachment B, Project Budget, is deleted in its entirety and replaced with Attachment B-1, which is attached to and made a part of this Amendment. The total estimated cost of the Project increased by \$26,331,148.00 from \$3,135,240.00 to \$29,466,388.00 due to adding funding authorized for the construction phase. Attachment C, Resolution, Ordinance, or Commissioners Court Order, is supplemented by adding Attachment C-1, Resolution, Ordinance, or Commissioners Court Order. This resolution authorizes the construction phase and funding; and

WHEREAS, all other provisions of the original contract shall remain unchanged and in full force and effect.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, or the City Manager's authorized designee, is hereby authorized to execute Amendment No. 1 to the Advance Funding Agreement (Agreement No. CSJ 0918-47-484, Assistance Listing No. 20.205) between the City of

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SECTION 1. (continued) Dallas and the Texas Department of Transportation for engineering to reconstruct the intersection at Harry Hines Boulevard and Mockingbird Lane in the city of Dallas to revise **(a)** Article 1 to add the construction phase of the project; **(b)** Article 3 to add construction to the scope of work description; and **(c)** Attachment B to amend the funding participation, and all terms, conditions, and documents required by the agreement, approved as to form by the City Attorney, or the City Attorney's authorized designee.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$24,780,000.00 in the FY24 TxDOT Surface Transportation Block Grant Program Fund, Fund F765, Department PBW, Unit 679E, Revenue Code 6506.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in the amount of \$24,780,000.00, from \$2,940,000.00 to \$27,720,000.00, in the FY24 TxDOT Surface Transportation Block Grant Program Fund, Fund F765, Department PBW, Unit 679E, Object 4111.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$24,780,000.00 from the FY24 TxDOT Surface Transportation Block Grant Program Fund, Fund F765, Department PBW, Unit 679E, Object 4111, Activity INGV, Program TPF76524, Encumbrance/Contract No. TRN-2024-00024789.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.