

September 28, 2022

WHEREAS, the City of Dallas desires to enter into an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for a U.S. Department of Transportation - Federal Highway Administration 2020 Highway Safety Improvement Program (HSIP) Project for design, upgrade, and/or construction of five traffic signals and associated off-system intersection improvements at: Marsalis Avenue at Overton Road (CSJ 0918-47-347), Kiest Boulevard at Beckley Avenue (CSJ 0918-47-354), Kiest Boulevard at Westmoreland Road (CSJ 0918-47-356), Kiest Boulevard at Polk Street (CSJ 0918-47-357), and Illinois Avenue at Ewing Avenue (CSJ 0918-47-358); and

WHEREAS, TxDOT will be responsible for all construction activities of the project and the U.S. Department of Transportation will provide the State with the 100 percent Federal Participation for all construction activities, in the estimated amount of \$2,176,081.00; and

WHEREAS, TxDOT will be responsible for the indirect state costs in an estimated amount of \$112,146.56; and

WHEREAS, the Federal/State portion of the project is \$2,288,227.56 and the City of Dallas' local match is \$378,245.96 (\$203,245.96 for direct state costs paid to TxDOT and \$175,000.00 for design), which consists of 100% of engineering and direct state costs, for a total estimated project amount of \$2,666,473.52; and

WHEREAS, Coronavirus State and Local Fiscal Recovery Funds are eligible within the Qualified Census Tract areas to improve various intersections to promote the safety of all right-of-way users including motorist, cyclists, and pedestrians; and

WHEREAS, the City of Dallas will pay TxDOT an amount of \$203,245.96 for the five off-system locations direct state costs; and

WHEREAS, the City of Dallas will be responsible for any change orders or bid overruns; and

WHEREAS, on September 22, 2021, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2021-22 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 21-1590.

Now, Therefore,

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

September 28, 2022

SECTION 1. That the City Manager, or the City Manager's authorized designee, is hereby authorized to accept a grant from the U.S. Department of Transportation - Federal Highway Administration 2020 Highway Safety Improvement Program (HSIP) in the amount of \$2,176,081.00 as Federal participation, \$378,245.96 (\$203,245.96 for direct state costs paid to TxDOT and an estimated \$175,000.00 for design, which is being done by City of Dallas staff) as local participation, and \$112,146.56 State participation for indirect state costs to design, upgrade, and/or construct five traffic signals and associated off-system intersection improvements at: Marsalis Avenue at Overton Road (CSJ 0918-47-347), Kiest Boulevard at Beckley Avenue (CSJ 0918-47-354), Kiest Boulevard at Westmoreland Road (CSJ 0918-47-356), Kiest Boulevard at Polk Street (CSJ 0918-47-357), and Illinois Avenue at Ewing Avenue (CSJ 0918-47-358), CFDA 20.205, which may be terminated under the conditions as stated in the Master Agreement, provide actual cost overruns from the General Fund; and execute an Advanced Funding Agreement with TxDOT, 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. This AFA may be terminated by the State if the project is inactive for 36 consecutive months or longer and no expenditures have been charged against federal funds.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds to TxDOT in the amount of \$203,245.96 in accordance with the terms and conditions of the agreement from the Coronavirus State and Local Fiscal Recovery Fund, Fund FC18, Department TRN, Unit AG31, Object 4820, Vendor 020318.

SECTION 3. That the Chief Financial Officer is hereby authorized to reclassify the disbursement to a Prepaid Expense, Balance Sheet Account 032B, if required by Generally Accepted Accounting Principles.

SECTION 4. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 5. That this contract is designated as Contract No. TRN-2022-00020050.

SECTION 6. 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.