

June 23, 2021

WHEREAS, Chapter 791 of the Texas Government Code and Texas Transportation Code Article 251 provides authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of transportation projects; and

WHEREAS, the Texas Department of Transportation (TxDOT) and the City of Dallas (City) desire to be partners on the construction of the “Klyde Warren Park Phase 2” (KWP2) Project from west of Akard Street to St. Paul Street; and

WHEREAS, TxDOT has estimated the total cost of the deck bridge structure project, including design, construction, and other costs to be nearly \$56,848,810.00; and

WHEREAS, Woodall Rodgers Park Foundation (WRPF) has completed design of the KWP2 Project and the City’s cost-share of the project is estimated to be \$7,900,000.00; and

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

WHEREAS, WRPF will solely fund and undertake the construction of the green space, i.e. building and park improvements, once TxDOT has completed construction of the deck bridge structure; and

WHEREAS, this action will authorize two Advanced Funding Agreements (AFAs) with TxDOT (Agreement No. CSJ 0196-07-034) for the development, construction, and maintenance of the KWP2 Project from west of Akard Street to St. Paul Street and provide for assignment to TxDOT as project lead for the construction of the KWP2 Project.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute two Advanced Funding Agreements (AFAs) with Texas Department of Transportation (TxDOT) as follows: (i) on-system and; (ii) on-system maintenance and Amendment No. 1 (TxDOT Agreement No. CSJ 0916-07-034), approved as to form by the City Attorney, for the Woodall Rodgers Park Deck Plaza Extension Structure on-system from west of Akard Street to St. Paul Street; and (iii) to ~~provide~~ funding for project costs in the amount of \$7,900,000.00 from Park and Recreation Facilities (B) Fund and assign TxDOT as the project lead ~~to~~ for the entire project; and execution of the AFAs including all terms, conditions, and documents required by the agreements.

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SECTION 2. That the project, on-system, will be led by TxDOT.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$7,900,000.00 to TxDOT, in accordance with the terms and conditions of the AFAs from Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VB32, Object 4599, Activity DWTN, Program PK17VB32, Encumbrance/Contract No. PKR-2021-00016005, Commodity 91200, Vendor 239588.

SECTION 4. That the City shall be responsible for any change orders or bid overruns.

SECTION 5. That upon completion of the project the City will manage, operate, and maintain the deck park structure in accordance with the AFAs.

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.