

October 13, 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 Dallas City Council by the Resolution No. 21-1134 dated June 23, 2021, authorized the execution of 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, provided for assignment to TxDOT as project lead for the construction of the KWP2 project, and authorized disbursement of funds in the estimated amount of \$7,900,000.00 for the City's cost-sharing of the project based on TxDOT's then Opinion of Probable Cost; and

**WHEREAS**, after passage of Resolution No. 21-1134, before the City signed the AFAs, TxDOT informed the City that the City will be responsible for a total amount of \$9,600,000.00 an increase of \$1,700,000.00 from the previous cost-sharing estimated amount of \$7,900,000.00 as a result of an updated Opinion of Probable Cost by TxDOT for the total construction costs; and

**WHEREAS**, TxDOT has estimated the total cost of the deck bridge structure project, including design, construction, and other costs to be nearly \$58,548,810.00; 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 \$9,600,000.00; and

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

**WHEREAS**, the City Council desires to authorize the City Manager to execute the AFA and provide funding for the revised total City cost-sharing amount of \$9,600,000.00 stated herein.

**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 an on-system Advanced Funding Agreement (AFA) with Texas Department of Transportation (TxDOT) (TxDOT Agreement No. CSJ 0196-07-034) 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 as follows: (i) funding for project costs in the total amount of \$9,600,000.00 from Park and Recreation Facilities (B) Fund; and (ii) assign TxDOT as the project lead for the entire project.

October 13, 2021

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse additional funds for the difference between the first resolution amount and the revised authorized amount, in the amount of \$1,700,000.00 to Texas Department of Transportation for the revised City cost-sharing amount, 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-2021-00017666, Commodity 91200, Vendor 239588.

**SECTION 3.** That the City shall be responsible for any change orders or bid overruns.

**SECTION 4.** That upon completion of the project the City will manage, operate, and maintain the deck park structure in accordance with the AFAs.

**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.