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November 10, 2017

The Honorable Eduardo "Eddie" Cantu
Hidalgo County Commissioner, Precinct No. 2
300 W. Hall Acres, Suite G
Pharr, Texas 78577

RE: Advance Funding Agreement (AFA) - Amendment #2
Regional Linear Park
From S. San Antonio Ave to Ridge Road
CSJ: 0921-02-365

Dear Commissioner Cantu:

Enclosed please find two originals of Amendment #2 to the subject Advance Funding Agreement. This amendment increases the construction funds from \$2,250,000 to \$2,405,820, a total increase of \$155,820.

Please sign and return both originals of Amendment #2 to the attention of Mr. Homero Bazan, Jr., our Director of Transportation Planning and Development, at the above address for further processing. Please contact Mr. Bazan or me at (956)702-6100 if you have any questions regarding this submission.

Sincerely,

Pedro R. Alvarez, P.E.
Pharr District Engineer

Attachment

cc: Honorable Ramon Garcia, Hidalgo County Judge
Hector Gonzalez, P.E., Deputy District Engineer
Homero Bazan, Jr., P.E., Director of Transportation Planning and Development
Rene Garza, P.E., Pharr Area Engineer
Joseph Leal, P.E., Project Manager
Andrew Canon, HCMPO Transportation Director
Jacinto Garza, P.E, L&G Engineering

CSJ: 0921-02-365
District #: 21 - Pharr
Code Chart 64#: 50109
Project: Hidalgo County Regional Hike & Bicycle
Trail (Linear Park)
Federal Highway Administration
CFDA Title: Highway Planning and Construction
CFDA # 20.205
Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
AMENDMENT #2**

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and **County of Hidalgo**, acting by and through its duly authorized officials, called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on 12th day of September 2016 to effectuate their agreement for the construction of the Hidalgo County Regional Hike and Bicycle Trail (Linear Park) and,

WHEREAS, the State and the Local Government executed Amendment #1 on the 28th day of February 2017 to address an increase in federal funds for construction; 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:

AGREEMENT

1. Description of Amended Items

Attachment C-1 "Project Estimate and Source of Funds" is deleted in its entirety and replaced with Attachment C-2 "Project Estimate and Source of Funds", which is attached to this amendment.

The construction funds are increased from \$2,250,000 to \$2,405,820, a total increase of \$155,820.

CSJ: 0921-02-365
District #: 21 - Pharr
Code Chart 64#: 50109
Project: **Hidalgo County Regional Hike & Bicycle Trail (Linear Park)**
Federal Highway Administration
CFDA Title: **Highway Planning and Construction**
CFDA # 20.205
Not Research and Development

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.

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Title

Date

THE STATE OF TEXAS

Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

Date

CSJ: 0921-02-365
 District #: 21 - Pharr
 Code Chart 64#: 50109
 Project: Hidalgo County Regional Hike & Bicycle
 Trail (Linear Park)
 Federal Highway Administration
 CFDA Title: Highway Planning and Construction
 CFDA # 20.205
 Not Research and Development

**ATTACHMENT C - 2
 PROJECT ESTIMATE AND SOURCE OF FUNDS
 LG Performs PE Work or Hires Consultant and Lets Project to Construction**

Work Performed by Local Government ("LG")							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation <small>Includes additional percentage for TDC apportionment where applicable</small>		State Participation		Local Government (LG) Participation <small>Includes any EDC reduction where applicable</small>	
		%	Cost	%	Cost	%	Cost
Preliminary Engineering	\$140,162	0%	\$0	0%	\$0	100%	\$140,162
Environmental Cost	\$51,026	0%	\$0	0%	\$0	100%	\$51,026
Right of Way	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities	\$0	0%	\$0	0%	\$0	0%	\$0
Construction	\$2,405,820	80%	\$1,924,656	19%	\$457,106	1%	\$24,058
Work by LG Subtotal	\$2,597,008		\$1,924,656		\$457,106		\$215,246

CSJ: 0921-02-365
 District #: 21 - Pharr
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Direct and Indirect State Costs Incurred for Review, Inspection, Administration & Oversight							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation <small>Includes additional percentage for TDC apportionment where applicable</small>		State Participation		Local Government (LG) Participation <small>Includes any EDC reduction where applicable</small>	
		%	Cost	%	Cost	%	Cost
Preliminary Engineering ¹	\$21,024	0%	\$0	0%	\$0	100%	\$21,024
Environmental Cost ¹	\$7,654	0%	\$0	0%	\$0	100%	\$7,654
Right of Way ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Construction ²	\$87,000	0%	\$0	0%	\$0	100%	\$87,000
Direct State Costs Subtotal	\$115,678		\$0		\$0		\$115,678
Indirect State Cost	\$91,350	0%	\$0	100%	\$91,350	0%	\$0
TOTAL PARTICIPATION	\$2,804,036		\$1,924,656		\$548,456		\$330,924

The estimated total participation by Local Government is \$330,924, plus 100% of overruns.

Total estimated payment by Local Government to State is \$115,678.

¹Local Government's first payment of \$28,678 is due to State within 30 days from execution of this contract.

²Local Government's second payment of \$87,000 is due to State within 60 days prior to the Construction contract being advertised for bids.

³If ROW is to be acquired by State, Local Government's share of property cost will be due prior to acquisition.

The eligible percent of required local match is stated in the nomination and must be 20% or greater, unless In-Kind, EDC adjustments or TDCs are applied.

This is an estimate, the final amount of Local Government participation will be based on actual costs.

Maximum federal TAP funds available for Project are \$1,924,656.