

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
AMENDMENT #1**

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.

W I T N E S S E T H

WHEREAS, the State and the Local Government executed a contract on the **3rd day of August, 2018** to effectuate their agreement for the **widening of Dicker Road to a 4 lane divided urban facility from SP 115 to FM 2061**; 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:

A G R E E M E N T

1. Description of Amended Items

Attachment C "Project Budget" is deleted in its entirety and replaced with Attachment C-1 "Project Budget", which is attached to this amendment.

As a result of recent updates to the construction and construction engineering costs approved by the Hidalgo County Metropolitan Planning Organization, Category 7, Surface Transportation Block Grant, funds are reduced from \$21,315,827 to \$18,358,500; a total reduction of \$2,957,327

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

Richard F. Cortez

Typed or Printed Name

Hidalgo County Judge

Title

Date

THE STATE OF TEXAS

Texas Department of Transportation

Date

**ATTACHMENT C-1
 PROJECT BUDGET**

The budget includes \$18,358,500 in Category 7 (Surface Transportation Block Grant funds) which may include any combination of Federal and State funds in addition to Local Government funds, for ROW, utilities, construction, and construction engineering. Considering the approved 91% Economically Disadvantaged County Program reduction to the required local match for construction and construction engineering costs, the Federal share is 80%, State's share is 18.2% and the Local Government's share is 1.8% for these costs until the federal funding reaches the maximum obligated amount. The Local Government will be responsible for 100% of the Preliminary Engineering (PE), the Direct State Costs for PE and ROW, and all project costs exceeding the approved federal and state funding. The following is an estimated breakdown of the project costs and funding participation:

Description		Total Estimated Cost	Federal Participation		State Participation			Local Participation		
			%	Cost	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.	% Before EDC Adj.	% After EDC Adj.	Cost After EDC Adj.
Preliminary Engineering (by LG)		\$1,667,175	0%	\$0	0%	0%	\$0	100%	100%	\$1,667,175
ROW (by LG) Cat 7		\$200,000	80%	\$160,000	0%	0.0%	\$0	20%	20%	\$40,000
Utilities (by LG) Cat 7		\$1,200,000	80%	\$960,000	0%	0.0%	\$0	20%	20%	\$240,000
Construction (by LG) Cat 7		\$15,498,000	80%	\$12,398,400	0%	18.2%	\$2,820,636	20%	1.8%	\$278,964
Construction Engineering (by LG) Cat 7		\$1,168,400	80%	\$934,720	0%	18.2%	\$212,649	20%	1.8%	\$21,031
Subtotal		\$19,733,575		\$14,453,120			\$3,033,285			\$2,247,170
Preliminary Engineering Direct State Costs \$166,718	Environm. Direct State Costs (30%)	\$50,015	0%	\$0	0%	0%		100%	100%	\$50,015
	Right of Way Direct State Costs (10%)	\$16,672	0%	\$0	0%	0%		100%	100%	\$16,672
	Engineer. Direct State Costs (50%)	\$83,359	0%	\$0	0%	0%		100%	100%	\$83,359
	Utility Direct State Costs (10%)	\$16,672	0%	\$0	0%	0%		100%	100%	\$16,672
ROW Direct State Costs (ROW Division's review and oversight)		\$2,500	0%	\$0	0%	0.0%	\$0	0%	100%	\$2,500
Construction Direct State Costs (State review and oversight) Cat 7		\$292,100	80%	\$233,680	0%	18.2%	\$53,162	20%	1.8%	\$5,258
Indirect State Costs (5.9%)		\$1,137,568	0%	\$0	100%	100%	\$1,137,568	0%	0%	\$0
Subtotal		\$1,598,886		\$233,680			\$1,190,730			\$174,475
TOTAL		\$21,332,461		\$14,686,800			\$4,224,015			\$2,421,646

Initial payment by the Local Government to the State: **\$ 169,218**
 Payment by the Local Government to the State before construction: **\$ 5,258**
 Estimated total payment by the Local Government to the State: **\$ 174,475**

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



600 W. Interstate 2 | Pharr, Texas 78577-1231 | (956) 702-6100 | www.txdot.gov

March 28, 2019

The Honorable Richard F. Cortez
Hidalgo County Judge
P.O. Box 1356
Edinburg, Texas 78540

**RE: Advance Funding Agreement (AFA) – Amendment #1
Dicker Road, from SP 115 to FM 2061
CSJ#0921-02-312**

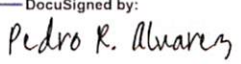
Dear Judge Cortez,

Enclosed please find two originals of Amendment #1 to the subject Advance Funding Agreement (AFA). Per the County's request, due to recent updates to the construction and construction engineering costs, Category 7 (Surface Transportation Block Grant) funds are reduced from \$21,315,827 to \$18,358,500; a total reduction of \$2,957,327.

Please sign and return both originals of Amendment #1 to the attention of Ms. Melba Schaus, District Planning Engineer, at the above address for further processing.

Please contact Ms. Schaus or me at (956)702-6100 if you have any questions regarding this submission.

Sincerely,

DocuSigned by:

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

Enclosures

cc: Rex Costley, Deputy District Engineer
Homero Bazan, Jr., P.E., Director of Transportation Planning and Development
Melba Schaus, P.E., District Planning Engineer
Rene Garza, P.E., Pharr Area Engineer
Eduardo Saenz, P.E., Project Manager