



600 W. INTERSTATE 2, PHARR, TEXAS 78577-1231 | 956.702.6100 | WWW.TXDOT.GOV

January 17, 2023

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

**RE: Advance Funding Agreement (AFA) - Amendment #1
Off-system Bridges Replacement Project Charles Green Road, from 1.35 mi W of FM 88 @
Delta Lake Irrigation Canal (NBI Str# AA03-42-001)
CSJ: 0921-02-331 RCSJ: 0921-02-478**

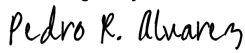
Dear Judge Cortez,

We are in receipt of your letter dated November 30, 2022, in reference to the above-mentioned project. We are in agreement with your request to terminate the subject AFA.

Attached you will find Amendment #1 for the termination of the subject project AFA. We are requesting your signature for partial execution. Once Amendment #1 has been fully executed, a refund of \$750 for the Preliminary Engineering Direct State Costs will be sent, along with a copy of Amendment #1 for your records.

Please contact Ms. Melba R. Schaus, P.E., District Planning Engineer, or me at (956) 702-6100 if you have any questions regarding this submission.

Sincerely,

DocuSigned by:

EABA335C2DAA48C...
Pedro R. Alvarez, P.E.
Pharr District Engineer

Attachment

cc: Rex A. Costley, P.E., Deputy District Engineer
Norma Y. Garza, P.E., Director of Transportation Planning and Development
Dora Robles, P.E., Advanced Project Development Director
Melba R. Schaus, P.E., District Planning Engineer
Rene Garza, P.E., Pharr Area Engineer
Agustin Ramirez, P.E., Design Support Supervisor
Mariel Torres, P.E., Design Support, Project Manager
Jorge Peña, Hidalgo County, RPIC

CSJ #0921-02-331
District #21 - PHR
Code Chart 64 #50109
Project: Charles Green (CR 342), 1.35 miles
W of MF 88 at Delta Lake Irrigation Canal
NBI Structure # 21-109-0-AA03-42-001
Federal Highway Administration
CFDA Title: Highway Planning and
Construction
CFDA No.:20.205
Not Research and Development

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT AMENDMENT
For Bridge Replacement or Rehabilitation
Off the State System**

AMENDMENT #1

THIS AMENDMENT is made by and between the State of Texas, acting through the Texas Department of Transportation, called the "State", and Hidalgo County, 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 an agreement on January 13, 2017; and,

WHEREAS, it has become necessary to amend that agreement to terminate at the request of the State. The State has decided to cancel the project;

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

In accordance with Article 2 of the original Advance Funding Agreement, the original contract will terminate effective when signed by the last party whose signing makes this amendment fully executed.

2. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

CSJ #0921-02-331
District #21 - PHR
Code Chart 64 #50109
Project: Charles Green (CR 342), 1.35 miles
W of MF 88 at Delta Lake Irrigation Canal
NBI Structure # 21-109-0-AA03-42-001
Federal Highway Administration
CFDA Title: Highway Planning and
Construction
CFDA No.:20.205
Not Research and Development

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

THE LOCAL GOVERNMENT

Signature

Richard F. Cortez

Typed or Printed Name

County Judge

Title

Date

In Process

THE STATE OF TEXAS

Graham Bettis, P.E.
Bridge Division Director
Texas Department of Transportation

Date

Certificate Of Completion

Envelope Id: 4B2841A39255428A856131DC113681AB	Status: Delivered
Subject: Complete with DocuSign: Ltr to Terminate AFA_partial execution_FINAL.docx.pdf, Bridge AFAA #1 C...	
Source Envelope:	
Document Pages: 3	Signatures: 0
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Melba Schaus
Time Zone: (UTC-06:00) Central Time (US & Canada)	125 E. 11th Street
	Austin, TX 78701
	melba.schaus@txdot.gov
	IP Address: 204.64.21.247

Record Tracking

Status: Original	Holder: Melba Schaus	Location: DocuSign
1/17/2023 2:03:13 PM	melba.schaus@txdot.gov	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: Texas Department of Transportation	Location: DocuSign

Signer Events

Signature	Timestamp
Richard F.Cortez	Sent: 1/17/2023 2:24:58 PM
countyjudge@co.hidalgo.tx.us	Viewed: 1/17/2023 2:25:32 PM
Hidalgo County Judge	
Hidalgo County	
Security Level: Email, Account Authentication (Optional)	
Electronic Record and Signature Disclosure:	
Accepted: 1/17/2023 2:25:32 PM	
ID: 19b89ef7-0696-401a-bde2-aba02ba6886d	

In Process

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Jorge Pena	COPIED	Sent: 1/17/2023 2:24:59 PM
jorege.pena1@co.hidalgo.tx.us		
Security Level: Email, Account Authentication (Optional)		
Electronic Record and Signature Disclosure:		
Not Offered via DocuSign		

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent	Hashed/Encrypted	1/17/2023 2:24:59 PM
Certified Delivered	Security Checked	1/17/2023 2:25:32 PM

Payment Events

Status

Timestamps

In Process

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Texas Department of Transportation (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

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Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Texas Department of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: kevin.setoda@txdot.gov

To advise Texas Department of Transportation of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at kevin.setoda@txdot.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from Texas Department of Transportation

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to kevin.setoda@txdot.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Texas Department of Transportation

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to kevin.setoda@txdot.gov and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">• Allow per session cookies

- | | |
|--|---|
| | <ul style="list-style-type: none">• Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection |
|--|---|

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Texas Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Texas Department of Transportation during the course of my relationship with you.