

Federal Highway Administration:			
CSJ #	0921-02-361 RCSJ	AFA ID	Z00001751
District #	21-Pharr	CFDA No.	20.205
Code Chart 64 #	50109	CFDA Title	Highway Planning and Construction
Project Name	Nolana Loop, from FM 1426 to FM 907		
<i>AFA Not Used For Research & Development</i>			

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 the **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 Texas Transportation Commission passed Minute Order Number 115291 and 116292 and the State and the Local Government executed a contract on December 20, 2019 to effectuate their agreement to undertake and complete a highway improvement or other transportation project generally described as **the widening of Nolana Loop to four lanes from FM 1426 to FM 907**; and

WHEREAS, the State and the Local Government executed Amendment #1 to the contract on January 6, 2023 to revise cost estimates and funding amounts.

WHEREAS, it has become necessary to amend that contract to add additional Category 7 funds and to amend provision of the contract to reflect the current budget of 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

- A. Attachment C-1 Project Budget is deleted in its entirety and replaced with Attachment C-2 Project Budget, which is attached to this amendment. The total estimated cost of the Construction and Construction Engineering Category 7 funds are increased by \$2,633,301 from \$14,840,418 to \$17,473,719 as a result of recent updates to construction and construction engineering costs approved by the Rio Grande Valley Metropolitan Planning Organization.

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.

Each party is signing this amendment on the date stated under that party's signature.

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THE LOCAL GOVERNMENT

Signature

Honorable Richard F. Cortez _____
Typed or Printed Name

Hidalgo County Judge _____
Title

Date

THE STATE OF TEXAS

In Process

Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

Date

TxDOT:				Federal Highway Administration:	
CSJ #	0921-02-361 RCSJ: 0921-02-421			CFDA No.	20.205
District #	21-Pharr	AFA ID	Z00001751	CFDA Title	Highway Planning and Construction
Code Chart 64 #	50109				
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ATTACHMENT C-2 PROJECT BUDGET

The cost for Right-of-Way (ROW), utilities, construction, and construction engineering totals \$19,473,719 which includes a combination of Category 7 (Surface Transportation Block Grant) federal funds, state funds and local funds.

For ROW/Utilities costs, the federal share is 80% and the local government share is 20%. Considering an 83% Economically Disadvantaged County Program reduction to the project's construction and construction engineering costs, the federal share is 80%, the state share is 16.6% and the local government share is 3.4% for these costs. The Local Government will be responsible for 100% of the direct state costs for ROW and utilities, and all project costs exceeding the approved federal funding. The costs for preliminary engineering (PE) and the environmental document for this project were processed through an Advance Funding Agreement (AFA) for CSJ 0921-02-169 and are not included in this AFA. 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.
Right of Way (by LG) Cat 10 (Earmark)	\$1,400,000	80%	\$1,120,000	0%	0%	\$0	20%	20%	\$280,000
Utilities (by LG) Cat 10 (Earmark)	\$600,000	80%	\$480,000	0%	0%	\$0	20%	20%	\$120,000
Construction (by LG) Cat 7	\$17,473,719	80%	\$13,978,975	0%	16.6%	\$2,900,637	20%	3.4%	\$594,106
Subtotal	\$19,473,719		\$15,578,975			\$2,900,637			\$994,106
Right of Way Direct State Cost	\$28,000	0%	\$0	0%	0%	\$0	100%	100%	\$28,000
Utility Direct State Cost	\$2,800	0%	\$0	0%	0%	\$0	100%	100%	\$2,800
ROW Direct State Cost (Division review and oversight)	\$51,000	0%	\$0	0%	0%	\$0	100%	100%	\$51,000
Construction Direct State Cost (State review and oversight of Construction Engineering)	\$279,579	0%	\$0	0%	0%	\$0	100%	100%	\$279,579
Indirect State Cost	\$928,896	0%	\$0	100%	100%	\$928,896	0%	0%	\$0
Subtotal	\$1,290,275		\$0			\$928,896			\$361,379
TOTAL	\$20,763,994		\$15,578,975			\$3,829,534			\$1,355,485

Initial payment by the Local Government to the State Received on 12.18.19: \$81,800

Payment by the Local Government to the State 60 days prior to the date set for receipt of the construction bids: \$279,579

Estimated total payment by the Local Government to the State: \$361,379

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

Certificate Of Completion

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Kenneth Stewart
Kenneth.Stewart@txdot.gov
Security Level: Email, Account Authentication (Optional)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

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Finance

FIN_Local-Participation@txdot.gov

Security Level: Email, Account Authentication
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Electronic Record and Signature Disclosure:
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Letting

Daniel.Dargevics@txdot.gov

Security Level: Email, Account Authentication
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- 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

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

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