

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-02-360	AFA ID	Z00001722	CFDA No.	20.205
AFA CSJs	0921-02-360 RCSJ 0921-02-444			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	50109		
Project Name	Mile 10 N, from Mile 6 W. to FM 1015			<i>AFA Not Used For Research & Development</i>	

THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
For
Surface Transportation Block Grant Project
Off-System**

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”. The State and Local Government shall be collectively referred to as “the parties” hereinafter.

WITNESSETH

WHEREAS, the parties executed a contract on **August 18, 2020** to effectuate their agreement to **widen Mile 10 N from a 2 lane to a 4-lane divided facility, from Mile 6 to FM 1015**; and,

WHEREAS, the parties executed Amendment #1 to the contract on **March 28, 2023** to **revise cost estimates and funding amounts**; and,

WHEREAS, it has become necessary to amend that contract in order to **increase federal funding for the construction and right of way phase of the project due to an increase in construction cost** ;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the parties do agree as follows:

AGREEMENT

Attachment C-1, **Project Budget**, is deleted in its entirety and replaced with Attachment C-2, **Project Budget**, which is attached to and made a part of this Amendment. The total estimated cost of the Project **increased** by \$ **10,018,891**, from \$ **23,670,975** to \$ **33,689,866**, due to an increase of the project funding necessitated by an increase in the project cost.

All other provisions of the original contract are unchanged and remain in full force and effect.

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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 Agreement on the date stated under that party's signature.

THE STATE OF TEXAS

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Typed or Printed Title

Date

Signature

Typed or Printed Name

Typed or Printed Title

Date

DRAFT

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**ATTACHMENT C-2
PROJECT BUDGET**

Right-of-Way (ROW) and Utilities costs shall be allocated based on 80% Federal funding and 20% Local Government funding, until the Federal funding reaches the maximum obligated amount.
Construction costs shall be allocated based on 80% Federal funding, 18% State funding, and 2% Local Government funding, until the Federal & State funding reaches the maximum obligated amount.
The Local Government will be responsible for 100% of the costs, including all overruns.

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 Local Government)	\$1,240,022	0%	\$0	0%	0%	\$0	100%	100%	\$1,240,022
ROW (by Local Government) Cat 10	\$3,675,000	80%	\$2,940,000	0%	0%	\$0	20%	20%	\$735,000
Utilities (by Local Government) Cat 10	\$325,000	80%	\$260,000	0%	0%	\$0	20%	20%	\$65,000
Construction (by Local Government) Cat 7	\$19,761,228	80%	\$15,808,982	0%	18%	\$3,557,021	20%	2%	\$395,225
Construction (by Local Government)	\$4,336,692	0%	\$0	0%	0%	\$0	100%	100%	\$4,336,692
Construction Engineering (by Local Government) Cat 7	\$2,366,760	80%	\$1,893,408	0%	18%	\$426,017	20%	2%	\$47,335
Subtotal	\$31,704,702		\$20,902,390			\$3,983,038			\$6,819,274
Engineering Direct State Costs	\$93,000	0%	\$0	0%	0%	\$0	100%	100%	\$93,000
Environmental Direct State Costs	\$55,800	0%	\$0	0%	0%	\$0	100%	100%	\$55,800
ROW Direct State Cost (Division Review and Oversight)	\$75,000	0%	\$0	0%	0%	\$0	100%	100%	\$75,000
Utility Direct State Costs	\$37,200	0%	\$0	0%	0%	\$0	100%	100%	\$37,200
Construction Direct State Costs	\$291,111	0%	\$0	0%	0%	\$0	100%	100%	\$291,111
Indirect State Costs	\$1,433,053	0%	\$0	100%	100%	\$1,433,053	0%	0%	\$0
Subtotal	\$1,985,164		\$0			\$1,433,053			\$552,111
TOTAL	\$33,689,866		\$20,902,390			\$5,416,091			\$7,371,385

Initial payment by the Local Government to the State received 10.23.20: \$261,000
Payment by the Local Government to the State prior to the receipt of the construction bids: \$291,111
Estimated total payment by the Local Government to the State: \$552,111
This is an estimate. The final amount of Local Government participation will be based on actual costs.