

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 City of North Richland Hills, acting by and through its duly authorized officials, called the Local Government.

**WITNESSETH**

**WHEREAS**, the State and the Local Government executed a contract on May 8<sup>th</sup> of 2014 to effectuate their agreement to add right and left turn lanes on all approaches and signalization improvements on FM 1938 at Mid-Cities Boulevard; and,

**WHEREAS**, the State and the Local Government executed an Amendment #1 on August 15<sup>th</sup> of 2018 to increase the contract budget by \$656,488.00 to increase engineering and construction funding due to higher low bid amount; 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-1, Project Budget Estimate and Source of Funds**, is deleted in its entirety and replaced with Attachment C-2, Project Budget Estimate and Source of Funds, which is attached to this Amendment. The contract budget increased from \$6,075,526.00 to \$6,566,403.00 to cover the project cost overruns.

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.

**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

**ATTACHMENT C-2  
PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS**

Costs will be allocated based on 80% Federal funding and 20% Local Government funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

<b>Work Performed by the Local Government</b>							
Description	Total Est. Cost	Federal Funding		Payments by State		Local Participation	
		%	Cost	%	Cost	%	Cost
Engineering (Federal funds)	\$471,578	80%	\$377,262	0%	\$0	20%	\$94,316
Engineering (Local funds)	\$65,393	0%	\$0	0%	\$0	100%	\$65,393
ROW	\$400,000	80%	\$320,000	0%	\$0	20%	\$80,000
<b>Subtotal</b>	<b>\$936,971</b>		<b>\$697,262</b>				<b>\$239,709</b>
<b>Work Performed by the State</b>							
Description	Total Est. Cost	Federal Funding		State Participation		Payments by Local Gov't	
		%	Cost	%	Cost	%	Cost
Construction (Federal funds)	\$4,086,695	80%	\$3,269,356	0%	\$0	20%	\$817,339
Construction (Local funds)	\$564,090	0%	\$0	0%	\$0	100%	\$564,090
<b>Subtotal</b>	<b>\$4,650,785</b>		<b>\$3,269,356</b>		<b>\$0</b>		<b>\$1,381,429</b>
<b>State Costs for Review, Inspection, and Oversight of Work Performed by the Local Government</b>							
Description	Total Est. Cost	Federal Funding		State Participation		Payments by Local Gov't	
		%	Cost	%	Cost	%	Cost
Environmental Direct State Costs (Federal funds)	\$75,000	80%	\$60,000	0%	\$0	20%	\$15,000
Environmental Direct State Costs (Local funds)	\$485	0%	\$0	0%	\$0	100%	\$485
Right of Way Direct State Costs	\$15,000	80%	\$12,000	0%	\$0	20%	\$3,000
Engineering Direct State Costs (Federal funds)	\$102,430	80%	\$81,944	0%	\$0	20%	\$20,486
Engineering Direct State Costs (Local funds)	\$1,000	0%	\$0	0%	\$0	100%	\$1,000
Utility Direct State Costs	\$5,000	80%	\$4,000	0%	\$0	20%	\$1,000
Construction Direct State Costs (Federal funds)	\$392,203	80%	\$313,762	0%	\$0	20%	\$78,441
Construction Direct State Costs (Local funds)	\$89,702	0%	\$0	0%	\$0	100%	\$89,702
Indirect State Costs	\$297,827	0%	\$0	100%	\$297,827	0%	\$0
<b>TOTAL</b>	<b>\$6,566,403</b>		<b>\$4,438,324</b>		<b>\$297,827</b>		<b>\$1,830,252</b>

Initial paid payment by the Local Government to the State: \$1,590,543.00

Estimated total payment by the Local Government to the State \$1,590,543.00

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