



**Interlocal Agreement  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 24  
AGENDA DATE: Thu 09/29/2005  
PAGE: 1 of 1**

**SUBJECT:** Authorize the execution of an amendment to the Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the Lance Armstrong Bikeway and payment of an amount not to exceed \$63,211.13 to TxDOT for the construction of the portion of the Bikeway in the right-of-way of IH-35 near 4<sup>th</sup> Street.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2004-2005 Capital Budget of the Public Works Department.

**FISCAL NOTE:** A fiscal note is attached.

**REQUESTING** Public Works  
**DEPARTMENT:**

**DIRECTOR'S  
AUTHORIZATION:** Sondra Creighton

**FOR MORE INFORMATION CONTACT:** Louis Lindsey, 974-7099; Colly Kreidler, 974-7063;  
Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:**

- 07/15/99 Council approved list of City of Austin Transportation Enhancement Applications;
- 10/26/00 Council approved Interlocal Agreement with TxDOT for the Austin Crosstown Bikeway (later renamed the Lance Armstrong Bikeway) awarded by the Statewide Transportation Enhancements Program in the amount of \$3,203,163.00;
- 12/14/00 Council authorized the negotiation and execution of a professional services agreement with Wilbur Smith Associates for preliminary design and construction phase services for the Bikeway.

**BOARD AND COMMISSION ACTION:** N/A

**PURCHASING:** N/A

**MBE / WBE:** N/A

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This amendment to the Advance Funding Agreement addresses the construction of the section of the Lance Armstrong Bikeway that passes beneath IH-35 at 4<sup>th</sup> Street. The original agreement indicated that City of Austin forces would construct this portion of the bikeway. Under this amendment, TxDOT is responsible for that work.

To eliminate a duplication of construction work where certain improvements would be constructed under the Barrier Removal Project and then replaced by the Lance Armstrong Bikeway Project improvements, this section of the Lance Armstrong Bikeway design will be incorporated into the TxDOT Barrier Removal Project. TxDOT has agreed to incorporate the new design into the Barrier Removal Project if the City will fund that portion of the project. This amendment allows TxDOT to contract for construction of the portion of the Bikeway Project within its right-of-way at IH-35. The City of Austin will pay 100% of the cost. The not-to-be exceeded cost of the work is \$63,211.13.



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**AGENDA ITEM NO.: 24  
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County: Travis  
CSJ: 0914-04-166  
Project No: STP 00(532)TE  
Crosstown Bikeway Enhancement Project

STATE OF TEXAS §  
COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT  
AMENDMENT #1**

 **ORIGINAL**

**THIS AMENDMENT IS MADE BY AND BETWEEN** the State of Texas, acting through the Texas Department of Transportation, hereinafter called the State, and the City of Austin, acting by and through their duly authorized officials, hereinafter called the Local Government.

**WITNESSETH**

**WHEREAS**, the State and the Local Government executed a contract on 13<sup>th</sup> day of December of 2000 to effectuate their agreement to complete the Austin Crosstown Bikeway Project; 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 hereto, the State and the Local Government do agree as follows:

**AGREEMENT**

**Article 1. Description of Amended Items**

Section 10. Construction Responsibilities. Second sentence is voided and replaced with the following: The State will be responsible for the construction of the portion of the Project which lies directly under the I-35 elevated mainlanes from the face of curb of the outside lane of the northbound frontage road to the face of curb of the outside lane of the southbound frontage road. Upon completion of such work, the State will invoice the Local Government for the not to be exceeded cost of \$63,211.13 and the Local Government will pay the State such amount within 30 days of the receipt of an invoice for such work.

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

**Article 2. Signatory Warranty**

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

**IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT** have executed duplicate counterparts to effectuate this agreement.

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Name of Local Government

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**THE STATE OF TEXAS**

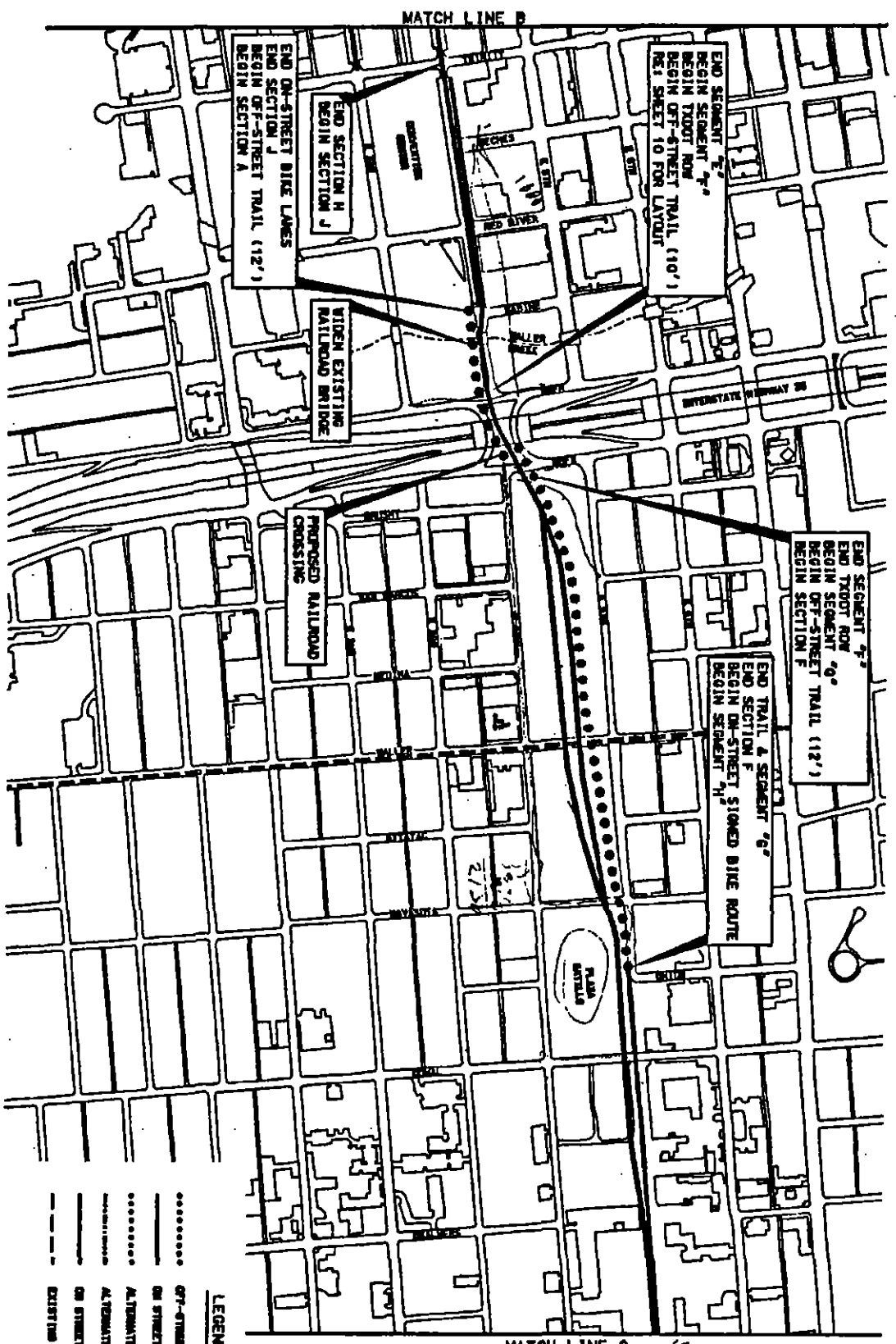
Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: \_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

DESIGNED BY	10
DRAWN BY	10
CHECKED BY	10
REVIEWED BY	10
DATE	10
CITY OF AUSTIN LANCE ARMSTRONG BIKEWAY	
RECOMMENDED ALIGNMENT	
SHEET 3	



- LEGEND**
- OFF-STREET TRAIL
  - ON STREET SIGNED BIKE ROUTE
  - ALTERNATE OFF-STREET TRAIL
  - ALTERNATE ON STREET BIKE ROUTES
  - ON STREET BIKE LANES
  - EXISTING BIKE FACILITIES

**MATCH LINE C**

*[Signature]*

**AUGUST 8, 2001**

**CITY OF AUSTIN**

**PLANNING DEPARTMENT**

**TRANSPORTATION DIVISION**

**10-4747-1**

**CIP BUDGET  
FISCAL NOTE**

**DATE OF COUNCIL CONSIDERATION:**

29-Sep-05

**WHERE ON AGENDA:**

Resolution

**DEPARTMENT:**

Public Works Department

**DESCRIPTION:** Authorize the execution of an amendment to the Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the Austin Crosstown Bikeway (now known as the Lance Armstrong Bikeway) and payment of the not-to-be exceeded amount of \$63,211.13 to TxDOT for the construction of the portion of the Bikeway in the right-of-way of IH-35 near 4th Street.

**FINANCIAL INFORMATION:**

Project Name: Lance Armstrong Bikeway  
Project Authorization: 2004-2005 Approved Capital Budget  
Funding Source: Capital Metro Quarter Cent Funding  
Fund/Agency/Orgn: 8581-257-9123

Total Current Appropriation	\$967,000.00
Unencumbered Balance	\$930,167.00
Amount of this Action	<u>(\$63,211.13)</u>
Estimated Available	<u>\$866,955.87</u>

Financial Approval: Rusty Cobem

Date: September 6, 2005