

## AGENDA



Thursday, June 8, 2006

 Back

**Public Works**  
**RECOMMENDATION FOR COUNCIL**  
**ACTION**

ITEM 23

**Subject:** Approve a resolution authorizing the negotiation and execution of all appropriate documents for the Texas Department of Transportation (TxDOT) to waive the City's local match fund participation requirement of \$60,997 for the Channel Road Bridge at Rocky Cliff Slough project, an authorized federal off-system bridge program project, and for the City's performance of an equivalent amount of structural work on the Circle S Bridge #1 over South Boggy Creek (0.90 miles south of William Cannon Drive) project.

**Amount and Source of Funding:** TxDOT will provide 100% of the cost of this project.

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**Additional Backup Material**

(click to open)

☐ **INTERLOCAL**  
**AGREEMENT**

☐ **Resolution**

**For More Information:** David V. Magana, P.E., 974-7054; Ed Poppitt, P.E., 974-8768; Alison von Stein, 974-7217; Laura Bohl, 974-7064.

**Prior Council Action:**

**Boards and Commission Action:**

Texas Administrative Code, Title 43, Section 15.55(d) (43 TAC Section 15.55(d)) allows for the usual 10% local match fund participation requirement to be waived on an authorized federal off-system bridge program project.

The criteria for participating in the program includes an Agreement by the Local Government to perform structural improvement work in a dollar amount equivalent to the local participation amount on other deficient bridge(s) or cross-drainage structure(s) within its jurisdiction. The project on which the local fund participation requirement is to be waived is referred to as the "participation-waived" project, and the project (or projects) on which the Local Government agrees to perform structural improvement work is referred to as the "equivalent-match" project(s).

In this case, the "participation-waived" project is identified as the Channel Road Bridge at Rocky Cliff Slough project, and the "equivalent-match" project is the Circle S Bridge #1 over South Boggy Creek (0.90 miles south of William Cannon Drive) project. The waiver request will include the location(s), description, and estimated cost of structural improvement work proposed for the Circle S Bridge #1 over South Boggy Creek project, which is the "equivalent-match" project. Additionally, it will include a copy of the City's resolution acknowledging responsibility for engineering, construction, and compliance with all applicable state and federal environmental regulations and permitting requirements for

the "equivalent-match" project.



# **Texas Department of Transportation**

P.O. DRAWER 15426 • AUSTIN, TEXAS 78761-5426 • (512)832-7000

November 4, 2005

**RECEIVED**

**MAY 05 2006**

**PROJ.MGMT/ENG.SVCS.  
DIVISION**

Travis County  
0914-04-187  
Old Manor Road at Tannehill Branch

Mr. David Gerard  
Transportation Engineering Division Manager  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767-1088  
**SUBJECT: Local Fund Participation-Waived Federal Off-System Bridge  
Program Projects and Equivalent-Match Projects**

Dear Mr. Gerard:

Texas Administrative Code, Title 43, Section 15.55(d) (43 TAC Section 15.55(d)) is now in effect providing that the usual 10 percent local match fund participation requirement may be waived on an authorized federal off-system bridge program project, providing the Local Government agrees to perform structural improvement work in a dollar-amount equivalent to the local participation, on other deficient bridge(s) or cross-drainage structure(s) within its jurisdiction. The project on which the local fund participation requirement is to be waived is referred to as the "participation-waived project" (PWP), while the project or projects on which the Local Government agrees to perform structural improvement work in return for the participation waiver, is referred to as the "equivalent-match project(s) ."

Upon written request by the Local Government, consideration may be given to such waiver on any federal off-system bridge project within the Local Government's jurisdiction that is currently authorized for construction, but the contract for construction has not yet been awarded. However, the department is unable to reimburse escrow funds that have already been paid by the Local Government.

The waiver request must include the location(s), description of structural improvement work proposed, and estimated cost for the proposed equivalent-match project(s), together with a copy of the Local Governing body's resolution.

Such requests will be reviewed and considered according to the requirements of 43 TAC Section 15.55(d), and the Local Government will be notified accordingly. If waiver approval is granted, such approval must then be manifested through written agreement executed between the State and the Local Government.

Mr. David Gerard  
Page 2  
November 4, 2005

For your use, attached are examples of a form letter requesting the waiver and a resolution form adopting the waiver request. Please contact this office if further information is needed in preparing or considering the preparation of a waiver request.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia L. Crews-Weight". The signature is fluid and cursive, with a large initial "P" and "C".

Patricia L. Crews-Weight, P.E.  
District Design Engineer

Attachments: Example Form Letter Requesting Waiver  
Example Local Governing Body Resolution Form Adopting Waiver Request

cc: Joe Seago, P.E., N. Travis A.O.

County: Travis  
Project: BR ( )OX  
CSJ: 0914-04-187  
Old Manor Road at Tannehill Branch  
NBI Str. No.: 14-227-0-B021-07-001  
Local Desig: STR 01358  
-OK

Ms. Patricia L. Crews-Weight, P.E.  
Director of Design  
P.O. Drawer 15426  
Austin, Texas 78761-5426

SUBJECT: Request for Waiver of Local Match Fund  
Participation Requirement on Federal  
Off-System Bridge Program Project

Dear Ms. Crews-Weight:

Under the provisions of Texas Administrative Code, Title 43, Section 15.55(d), this Local Government requests waiver of the local match fund participation requirement on the above referenced federal off-system bridge program project referred to as the "participation-waived" project. In return for waiver of this participation, it is proposed that our governing body perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridge(s) or deficient mainlane cross-drainage structure(s), referred to as "equivalent-match project(s)", within the jurisdiction of our governing body.

A copy of the appropriate required resolution adopted by our governing body is attached.

Sincerely,

Sondra Creighton, P.E.  
City of Austin  
Public Works

Attachment: Resolution

\*\*\*\*\*

**For TxDOT Use Only**

\_\_\_\_\_ Waiver Approved

\_\_\_\_\_ Waiver Disapproved

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Robert B. Daigh, P.E.  
Austin District Engineer

\*\*\*\*\*

# RESOLUTION

The State of Texas  
County of Travis

WHEREAS, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, City of Austin, hereinafter referred to as the Local Government, owns a bridge located at Old Manor Road at Tannehill Branch, National Bridge Inventory (NBI) Structure Number B021-07-001, Local Designation Number STR 01358; and

-OK

WHEREAS, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number 110109 dated June, 2005, Control-Section-Job (CSJ) Number 0914-04-187; and

WHEREAS, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government; and

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d) (43 TAC Section 15.55(d)) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waived with agreement by the Local Government to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an "equivalent-match project"; and

WHEREAS, the estimated local match fund participation requirement on the approved federal off-system bridge projects is Seventy Seven Thousand Four Hundred Sixty Eight Dollars and no Cents (\$77,468.00), hereinafter referred to as the "participation-waived project, such participation requirement the Local Government proposes be waived and in return perform or cause to be performed equivalent-match project structural improvement work.

THEREFORE, BE IT RESOLVED that the Local Government perform, or cause to be performed, the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved federal off-system bridge program (participation-waived) project (PWP) not yet awarded:

| <b>LOCATION (and NBI<br/>structure Identification<br/>number, if applicable)</b> | <b>ON SCHOOL<br/>BUS ROUTE?</b> | <b>DESCRIPTION OF<br/>STRUCTURAL<br/>IMPROVEMENT WORK</b> | <b>ESTIMATED<br/>COST</b> |
|----------------------------------------------------------------------------------|---------------------------------|-----------------------------------------------------------|---------------------------|
|----------------------------------------------------------------------------------|---------------------------------|-----------------------------------------------------------|---------------------------|

BE IT FURTHER RESOLVED that in receiving this waiver the Local Government acknowledges its obligation to conform with all conditions of 43 TAC Section 15.55(d); such conditions that include but are not restricted to the following:

1. The Local Government must be currently in compliance with load posting and closure regulations as defined in National Bridge Inspection Standards under US Code of Federal Regulations, Title 23, Section 650.303.
2. The equivalent-match project work increases the load capacity of the existing bridge or other mainlane cross-drainage structure, or upgrades the structure to its original load capacity with a minimum upgrade to safely carry school bus loading if located on a school bus route.
3. In performing, or causing to be performed, the equivalent-match project(s), the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal environmental regulations and permitting requirements for the structures being improved.
4. The work on the proposed equivalent-match project(s) has not begun and will not begin until the local match fund participation waiver approval process has been completed.
5. The Local Government will be allowed three years after the contract award of the participation-waived project to complete the structural improvement work on the equivalent-match project(s).
6. Should this waiver request be approved, an appropriate written agreement or amendment to a previously executed agreement will be executed between the State and Local Government.

**APPROVAL SIGNATURES**

---

---

---

County: Travis  
 CSJ: 0914-04-187  
 Project: BR ( ) OX  
 Road/Street/Highway: Old Manor Road  
 15 Digit NBI Structure No.: 142270B02107001  
 Local Designation No.: ~~STR-BR01358~~  
 Feature Crossed: Tannehill Branch

## ATTACHMENT A

### ESTIMATE OF DIRECT COSTS

|                                                                                                                      |       | <u>Estimated Cost</u> | <u>Local<br/>Government<br/>Participation</u> |
|----------------------------------------------------------------------------------------------------------------------|-------|-----------------------|-----------------------------------------------|
| Preliminary Engineering (PE)                                                                                         | (1)   | <u>\$ 61,483.00</u>   |                                               |
| Ten (10) Percent or EDC Adjusted Percent<br>of PE for Local Government Participation                                 |       |                       | (3) <u>\$ 6,148.00</u>                        |
| Construction                                                                                                         |       | <u>\$ 614,828.00</u>  |                                               |
| Engineering and Contingency (E&C)                                                                                    |       | <u>\$ 98,373.00</u>   |                                               |
| The Sum of Construction and E&C                                                                                      | (2)   | <u>\$ 713,201.00</u>  |                                               |
| Ten (10) Percent or EDC Adjusted Percent<br>of the Sum of Construction and E&C for<br>Local Government Participation |       |                       | (4) <u>\$ 71,320.00</u>                       |
| Amount of Advance Funds Paid by Local<br>Government *                                                                |       |                       | (5) ( <u>\$ 0.00</u> )                        |
| Amount of Advance Funds to be Paid by<br>Local Government *                                                          |       |                       | (6) ( <u>\$ 0.00</u> )                        |
| Balance of Local Government Participation<br>which is to be Waived where the<br>Project is a PWP                     |       |                       | (3+4-5-6) <u>\$ 77,468.00</u>                 |
| Total Project Direct Cost                                                                                            | (1+2) | <u>\$ 774,684.00</u>  |                                               |
| * Credited Against Local Government Participation Amount                                                             |       |                       |                                               |

If this Project is to be a PWP, Amount of  
 EMP Work Being Credited to this PWP.

\$77,468.00

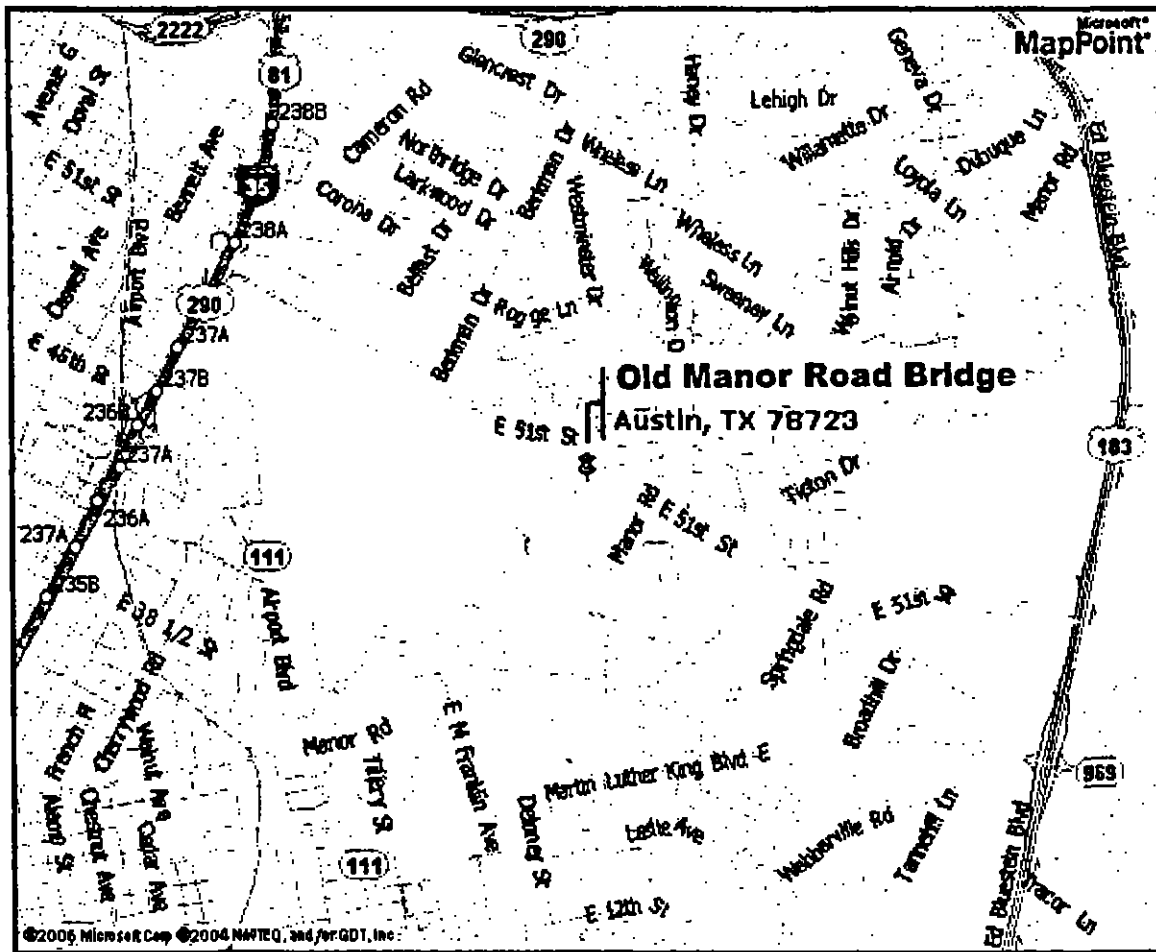


**NAAO Preliminary Construction Estimate**  
**Old Manor Road at Tannehill Branch**  
**0914-04-187**

| Item No                 | Description                            | Units | Price per Unit | No. of Units | Cost          |
|-------------------------|----------------------------------------|-------|----------------|--------------|---------------|
|                         | Single Span Bridge                     | SF    | \$ 90.00       | 2,240.00     | \$ 201,600.00 |
| 100 2002                | PREPARING ROW                          | STA   | \$ 6,000.00    | 4.00         | \$ 24,000.00  |
| 132 0501                | EMBANK (DENS CONT) (TY A GR 4)         | CY    | \$ 9.00        | 674.00       | \$ 6,066.00   |
| 110 2001                | EXCAVATION RDWY                        | CY    | \$ 13.00       | 437.00       | \$ 5,681.00   |
| 110 2002                | EXCAVATION CHANNEL                     | CY    | \$ 10.00       | 415.00       | \$ 4,150.00   |
| 247 2084                | FL BS (COMPL IN PLAC) (TY A GR6 )      | TON   | \$ 12.00       | 1,046.00     | \$ 12,552.00  |
| 340 2007                | D - GR HMA (METH) TY - A PG70 - 22     | TON   | \$ 80.00       | 286.00       | \$ 22,880.00  |
| 340 2050                | D - GR HMA (METH) TY - C PG70 - 22     | TON   | \$ 110.00      | 95.00        | \$ 10,450.00  |
| 432 2002                | RIP RAP (CONC 5 IN)                    | CY    | \$ 500.00      | 37.00        | \$ 18,500.00  |
| 496 2009                | REMOV OLD STR (BRIDGE 0-99FT LENGTH)   | EA    | \$ 41,000.00   | 1.00         | \$ 41,000.00  |
| 500 2001                | MOBILIZATION                           | LS    | \$ 48,685.46   | 1.00         | \$ 48,685.46  |
| 502 2001                | BARRICADES, SIGNS AND TRAFFIC HANDLING | MO    | \$ 3,000.00    | 6.00         | \$ 18,000.00  |
| 529 2002                | CONC CURB (TY II                       | LF    | \$ 12.00       | 300.00       | \$ 3,600.00   |
| 530 2008                | DRIVEWAYS ACP                          | EA    | \$ 30.00       | 2.00         | \$ 60.00      |
| 540 2012                | MTL BEAM GUARD FENCE (TIMBER POST)     | LF    | \$ 20.00       | 60.00        | \$ 1,200.00   |
| 544 2013                | GDRAIL END TRT (INSTALL)               | EA    | \$ 2,300.00    | 4.00         | \$ 9,200.00   |
| 658 2327                | INSTL OM ASSM (OM-2)                   | EA    | \$ 100.00      | 6.00         | \$ 600.00     |
| 247 2084                | FL BS (COMPL IN PLAC) (TY A GR6 )      | TON   | \$ 12.00       | 1,501.00     | \$ 18,012.00  |
| 464 0509                | RC PIPE (CL III) (36 IN)               | LF    | \$ 100.00      | 28.00        | \$ 2,800.00   |
| 110 0501                | EXCAVATION (RDWY)                      | CY    | \$ 4.00        | 830.00       | \$ 3,320.00   |
|                         | LINE ITEM CONSTRUCTION INCENTIVE COST  | LS    | \$ 60,000.00   | 1.00         | \$ 60,000.00  |
|                         | MISC 5% OF TOTAL                       | 5%    |                |              | \$ 23,183.55  |
| Total without MOB       |                                        |       |                |              | \$ 463,671.00 |
| Total with MOB          |                                        |       |                |              | \$ 512,356.46 |
| Total with MOB with E/C |                                        |       |                |              | \$ 614,827.75 |

**msn** Maps & DirectionsFeaturing Microsoft®  
MapPoint® Technology

4900 Old Manor Rd, Austin, TX 78723



Your right to use maps and routes generated on the MSN service is subject at all times to the MSN Terms of Use.  
Data credits, copyright, and disclaimer.