

# V I S T A C I T Y C O U N C I L

## AGENDA



Thursday, January 11, 2007

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### Public Works RECOMMENDATION FOR COUNCIL ACTION

ITEM No 26

**Subject** Approve a resolution amending Resolution No 20060608-025 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 00 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 and the Burleson Road Bridge at Country Club Creek project

**Fiscal Note** There is no anticipated fiscal impact A fiscal note is not required

**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

#### Additional Backup Material

(click to open)

MAP

BACKUP

**Prior Council Action** June 8, 2006 Council approval of 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 00 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

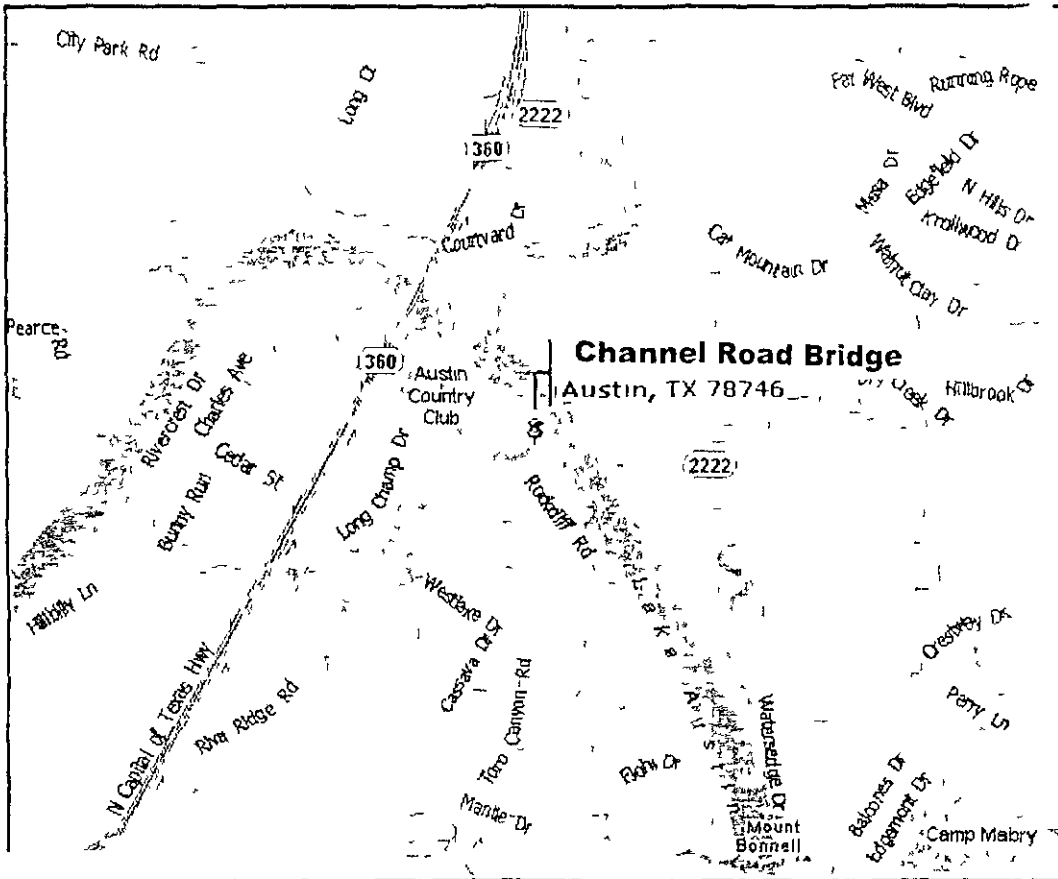
Texas Administrative Code, Title 43, Section 15 55(d) (43 TAC Section 15 55(d)) allows for the usual 10% local match fund participation requirement to be waived on an authorized federal off-system bridge program project The criteria for participating in the program includes an Agreement by the Local 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 the Channel Road Bridge at Rocky Cliff Slough project, and the "equivalent-match" projects are the Circle S Bridge #1 over South Boggy Creek (0 90 miles South of William Cannon Drive) and the Burleson Road Bridge at Country Club Creek

Previously, on June 8, 2006, the City Council approved a resolution authorizing Circle S Bridge #1 over South Boggy Creek (0 90 miles South of William Cannon Drive) as an "equivalent match" project for the Channel Road Bridge at Rocky Cliff Slough project This request for Council action is to authorize Burleson Road Bridge at Country Club Creek as an additional "equivalent match" project for the Channel Road Bridge at Rocky Cliff Slough project

The waiver request will include the location(s), description, and estimated cost of structural improvement work proposed for the Burleson Road Bridge at Country Club Creek project. It will also 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" projects.

1720 Channel Rd, Austin, TX 78746





# Texas Department of Transportation

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

November 4, 2005

Travis County  
0914-04-188  
Channel Road at Rocky Cliff Slough

Mr. David Gerard  
Transportation Engineering Division Manager  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767-1088

RECEIVED  
MAY 05 2006  
PROJECT MGMT/ENG SVCS  
DIVISION

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,



Patricia L. Crews-Weight, P.E.  
Director of Design

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 0914-04-188  
Channel Road at Rocky Cliff Slough  
NBI Str No 14-227-0- B055-50-001  
Local Desig STR 00177  
                  ^  
                  - BR

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  
Director, Public Works

Attachment Resolution

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For TxDOT Use Only

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

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

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## 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 Channel Road at Rocky Cliff Slough, National Bridge Inventory (NBI) Structure Number B055-50-001, Local Designation Number STR 00177, and

-BR

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 0914-04-188, 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 Sixty Thousand Nine Hundred Ninety Seven Dollars and no Cents (\$60,997 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

LOCATION (and NBI structure identification number, if applicable)	ON SCHOOL BUS ROUTE?	DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK	ESTIMATED COST
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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 0914-04-188  
 Project BR ( ) OX  
 Road/Street/Highway Channel Road  
 15 Digit NBI Structure No 142270B05550001  
 Local Designation No STR-BR00177  
 Feature Crossed Rocky Cliff Slough

## ATTACHMENT A

### ESTIMATE OF DIRECT COSTS

		<u>Estimated Cost</u>	<u>Local Government Participation</u>
Preliminary Engineering (PE)	(1)	<u>\$ 48,410 00</u>	
Ten (10) Percent or EDC Adjusted Percent of PE for Local Government Participation			(3) <u>\$ 4,841 00</u>
Construction		<u>\$ 484,102 00</u>	
Engineering and Contingency (E&C)		<u>\$ 77,456 00</u>	
The Sum of Construction and E&C	(2)	<u>\$ 561,558 00</u>	
Ten (10) Percent or EDC Adjusted Percent of the Sum of Construction and E&C for Local Government Participation			(4) <u>\$ 56,156 00</u>
Amount of Advance Funds Paid by Local Government *			(5) ( <u>\$ 0 00</u> )
Amount of Advance Funds to be Paid by Local Government *			(6) ( <u>\$ 0 00</u> )
Balance of Local Government Participation which is to be Waived where the Project is a PWP			(3+4-5-6) <u>\$ 60,997 00</u>
Total Project Direct Cost	(1+2)	<u>\$ 609,968 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

\$60,997 00

**NAAO Preliminary Construction Estimate**  
**Channel Road at Rocky Cliff Slough**  
**0914-04-188**

Item No.	Description	Units	Price per Unit	No. of Units	Cost
	Single Span Bridge	SF	\$ 90 00	884 00	\$ 79 560 00
100 2002	PREPARING ROW	STA	\$ 6 000 00	4 00	\$ 24 000 00
110 2001	EXCAVATION (RDWY)	CY	\$ 13 00	150 00	\$ 1 950 00
132 2002	EMBANKMENT (FINAL) (DENS CONT) (TY A)	CY	\$ 20 00	132 00	\$ 2 640 00
340 2007	D GR HMA (METH) TY A PG70 22 (6in)	TON	\$ 80 00	264 00	\$ 21 120 00
340 2050	D GR HMA (METH) TY C PG70 22 (2in)	TON	\$ 110 00	88 00	\$ 9 680 00
459 2001	GABIONS (3x3)	CY	\$ 150 00	640 00	\$ 96 000 00
496 2009	REMOV OLD STR (BRIDGE 0 99FT LENGTH)	EA	\$ 41 000 00	1 00	\$ 41 000 00
500 2001	MOBILIZATION	LS	\$ 36 674 40	1 00	\$ 36 674 40
506 2002	ROCK FILTER DAMS (INSTALL) (TY2)	LF	\$ 75 00	40 00	\$ 3 000 00
502 2001	BARRICADES SIGNS AND TRAFFIC HANDLING	MO	\$ 3 000 00	2 00	\$ 6 000 00
530 2008	DRVWY (ASPH CONC PAV)	EA	\$ 30 00	2 00	\$ 60 00
0530 2014	TURNOUTS (ACP)	EA	\$ 75 00	2 00	\$ 150 00
540 2012	MTL BEAM GUARD FENCE (TIMBER POST)	LF	\$ 20 00	60 00	\$ 1 200 00
544 2013	GDRAIL END TRT (INSTALL)	EA	\$ 2 800 00	4 00	\$ 11 200 00
550 2003	CHAIN LINK FENCE (REMOVE)	LF	\$ 5 00	40 00	\$ 200 00
550 2001	CHAIN LINK FENCE (INSTALL) (6	LF	\$ 23 00	40 00	\$ 920 00
658 2327	INSTL OM ASSM (OM 2)	EA	\$ 100 00	6 00	\$ 600 00
	LINE ITEM CONSTRUCTION INCENTIVE COST	LS	\$ 50 000 00	1 00	\$ 50 000 00
	MISC COST	5% TOTAL			\$ 17 464 00
Total without MOB OR MISC					\$ 349 280 00
Total with MOB AND MISC					\$ 403 418 40
Total MOB with E/C					\$ 484 102 08

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**MAY 05 2006**

**PROJ MGMT/ENG SVCS  
DIVISION**