



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

**AGENDA ITEM NO.: 23
AGENDA DATE: Thu 04/07/2005
PAGE: 1 of 1**

SUBJECT: Authorize execution of Amendment No. 1 to an Advanced Funding Agreement (AFA) between the Texas Department of Transportation and the City of Austin (City) regarding the Barton Springs Road (Robert E. Lee/Rollingwood Dr.) Bicycle Lanes Project, to revise construction letting and contract administration responsibilities in the AFA.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Public Works
DEPARTMENT:

DIRECTOR'S
AUTHORIZATION: Sondra Creighton

FOR MORE INFORMATION CONTACT: Tom Forrest, 974-2244; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: 10/30/03 – City Council approved an AFA that provided for the Barton Springs Road (Robert E. Lee/Rollingwood Dr.) Bicycle Lanes project (Project). The Council approved the total project cost of \$922,880 with \$738,304 in grant funding from the Intermodal Surface Transportation and Efficiency Act (ISTEA) and Transportation Equity Act for the 21st Century (TEA-21) funds and the City's match requirement of \$184,576 from the Amended 2003-2004 Capital Budget.

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: N/A

In October 2003, the City Council approved an Advanced Funding Agreement (AFA) that provided for the construction of bicycle lanes on Barton Springs Road between Robert E. Lee and Rollingwood Drive with \$738,304 in grant ISTEA and TEA-21 funds and \$184,576 in matching funds for a total estimated cost of \$922,880.

In February 2005, the City requested that the AFA be amended. The proposed Amendment will allow the City to take responsibility for bid letting and award activities and to administer construction of the Project using State approved letting procedures. TxDOT will be given opportunities to review change orders prior to execution. All other provisions in the original AFA are unchanged and remain in full force and effect.



Texas Department of Transportation

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

February 25, 2005

RECEIVED

MAR 02 2005

PROJ.MGMT/ENG.SVCS.
DIVISION

County: Travis
CSJ: 0914-04-180
Barton Springs Rd

Mr. Tom Forrest
Assistant Director, Public Works
City of Austin
P.O. Box 1088
Austin, Texas 78767-1088

Dear Mr. Forrest:

Attached are two originals of revised Amendment No. 1 for the above project. The project consists of adding shoulders on Barton Springs Road from Robert E. Lee to Rollingwood Drive. The Amendment No. 1 revises the construction letting and contract administration responsibilities. Please sign, date and return to me for further execution.

If you have any questions, please contact me at 832-7050.

Sincerely,


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

Attachments

County: Travis
CSJ: 0914-04-180
Location: Barton Springs Rd from Robert E.
Lee Road to Rollingwood Drive

"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 its duly authorized officials, hereinafter called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on March 2, 2004 to effectuate their agreement to construct shoulder improvements; 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

The first and second sentences of Article 11a are revised to: The Local Government shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, recommend award and administer the contract for construction of the Project. The State shall approve the award of the contract. Administration of the contract includes the responsibility for construction inspection and engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders, which may become necessary subsequent to the award of the construction contract.

Article 11b is revised to: The Local Government will use its approved contract letting and award procedures to let and recommend award the construction contract.

Article 11c is revised to: Prior to their execution, the State will be given the opportunity to review contract change orders that will result in an increase in cost.

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