

RESOLUTION NO. 17-R-10

A RESOLUTION OF THE CITY COUNCIL OF CITY OF ALVIN, TEXAS, AUTHORIZING WAIVER OF THE LOCAL MATCH FUND PARTICIPATION REQUIREMENT ON A FEDERAL OFF-SYSTEM BRIDGE PROJECT; ACCEPTING THE PROPOSAL AND RECOMMENDATIONS OF THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF ONE BRIDGE LOCATED IN THE CITY OF ALVIN, TEXAS; AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS TO EFFECTUATE THE PROJECT; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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, the City of Alvin, Texas, hereinafter referred to as the Local Government, owns a bridge at:

CR 51 at Austin Bayou
CSJ NO. 0912-31-263
NBI NO. 12-020-0-D00946-001,

and

WHEREAS, a project to remedy the bridge is included in the currently approved program of the projects as authorized by Texas Transportation Commission Minute Order Number 111335 dated April 24, 2008; and

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

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d) (43 TAC Section 15.55 (d)) provides that under specific conditions, the ten (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 main lane cross-drainage structures within its

jurisdiction, such as 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 federal off-system bridge project is **\$28,314.00**, 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,

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. Findings. That the City Council hereby adopts the recitals and findings set forth in the preamble hereof.

Section 2. That the Local Government perform, or cause to be performed, the following equivalent-match projects in return for waiver of the local match fund participation requirement on approved federal off-system bridge program (participation-waived) project previously completed:

1100 block Pine Street Crossing at M-9 ditch
Bus Route, Replace Cross Culverts
Estimated Cost \$15,000.00

Sidnor Street at Davis Bend Road
Bus Route, Replace Cross Culverts
Estimated Cost \$4,440.24

Davis Bend Road at Sidnor Street
Bus Route, Replace Cross Culverts
Estimated Cost \$5,600.00

Newman Street at Chapman Street
Bus Route, Replace Cross Culverts
Estimated Cost \$3,664.00

Victory Lane at Living Stones Church
Bus Route, Replace Cross Culverts
Estimated Cost \$4,800.00

Old Galveston Road at Chestnut Road
Bus Route, Replace Cross Culverts
Estimated Cost \$3,510

BE IT FURTHER RESOLVED, that in receiving this waiver, the Local Government acknowledges its obligation to conform with 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 main lane 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 projects, the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal regulations and permitting requirements for the structures being improved.
- (4) The work on the proposed equivalent-match projects 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 (3) years after the contract award of the participation-waived project to complete the structural improvement work on the equivalent-match projects.
- (6) Should this waiver request be approved, an appropriate agreement or amendment to a previously executed agreement will be executed between the State and Local Government.

Section 3. That the Mayor is hereby authorized to enter into and execute the agreement with the State of Texas to effectuate the City's equivalent-match projects.

Section 4. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this _____ day of _____, 2017.

ATTEST:

THE CITY OF ALVIN, TEXAS

By: _____
Dixie Roberts, City Clerk

By: _____
Paul A. Horn, Mayor