

Date	SUBJECT: Advance Funding Agreement between the City of Houston and Texas Department of Transportation to Fund the City of Houston Flood Plain Permit Fees for Westerland (N-240001-0001-7), Windfern (N-140004-0001-7), Hollister (N-140002-0001-7) and Calhoun (N-140005-0001-7) Bridges	Originator's Initials TAA	Page <u>2</u> of <u>2</u>
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SCOPE OF THIS AGREEMENT: Under this Program, the usual fund participation ratio for Projects is 80 percent Federal, 10 percent State and 10 percent Local Government.

The Texas Administrative Code, Title 43, Section 15.55 provides that under specified conditions, the 10 percent Local Government match requirement may be waived on this project if the Local Government performs an equivalent dollar amount of structural improvement work on another deficient bridge within its jurisdiction (Equivalent-Match-Projects). The Texas Transportation Commission approved Minute Order No. 113526, dated March 28, 2013 for the reconstruction of the bridge listed under the Off-System Bridge Replacement Program, hereinafter, referred to as "Participation Waived" Project.

City Council approved Resolution 2011-0031 on December 07, 2011, Resolution 2012-0030, on October 17, 2012, Resolution 2012-0031 on October 17, 2012, Resolution 2013-0034, on June 05, 2013 approving the request of a waiver of local match requirements in the Federal Off-System Bridge Program administered by TxDOT for Westerland, Windfern, Hollister and Calhoun Bridges. An amendment was approved by Resolution 2012-0022 on July 25, 2012 for Hollister Bridge.

City Council approved Ordinance 2013-0506 on May 29, 2013, Ordinance 2013-0759 on August 21, 2013, Ordinance 2013-0785 on September 04, 2013 and Ordinance 2013-1133 on December 11, 2013. TxDOT will design and construct the projects according to plans approved by the City of Houston. The City is responsible for the provision and acquisition of necessary right-of-way for the projects and the relocation of utilities before the scheduled beginning of construction, if needed. The City has agreed to maintain the facilities after the projects completion.

Under the terms of this agreement, the City of Houston mandates that the Texas Department of Transportation acquire four (4) City of Houston Flood Plain permits for the construction of the proposed bridges reconstruction projects. The cost of the permits to be paid to the City Engineer's Office is a total of \$20,000.00. These fees were not an apparent cost to TxDOT and were not included in the estimated cost for construction. Therefore the City of Houston has agreed to reimburse TxDOT for the payment of the required City of Houston Flood Plain Permit fees.

ACTION RECOMMENDED: It is recommended that the City Council adopt an ordinance approving and authorizing an Advance Funding Agreement between the City of Houston and TxDOT and appropriate \$20,000.00 for funding the Flood Plain Permit fees.

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File – TxDOT – Westerland Drive Bridge at HCFCD Ditch
Windfern Road Bridge at Cole Creek
Hollister Road Bridge at Proetzels Branch
Calhoun Street Bridge at Brays Bayou