



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER <#CourtOrderNumber#>

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DATE: 1/28/2025

SUBJECT: CONSIDERATION OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF BURLESON RELATED TO THE STONE ROAD IMPROVEMENTS PROJECT - 2006 AND 2021 TRANSPORTATION BOND PROGRAM

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider Amendment No. 1 to the Interlocal Agreement (ILA) between Tarrant County and the City of Burleson related to the Stone Road Improvements Project - 2006 and 2021 Transportation Bond Program (TBP), located in Precinct 1.

BACKGROUND

On February 7, 2023, the Commissioners Court, through Court Order #140273, approved an ILA with the City of Burleson for financial support of up to \$3,030,000.00 related to improvements to the Stone Road project from McCall Street to Alsbury Boulevard as described in the 2021 Tarrant County Bond Program. The 2006 and the 2021 TBP funding for this project will be provided through the Discretionary funding category.

The project is in the final design phase, requiring that the agreement expiration term be extended.

With approval, the original ILA will be amended to extend the expiration date to September 30, 2027, to continue the 2006 and the 2021 TBP funding for this project, and Articles III, IV, and V, are repealed and replaced, and Attachment A is repealed in its entirety.

This ILA has been reviewed by the Auditor's Office and approved as to form by the Criminal District Attorney's Office.

FISCAL IMPACT

The fiscal impact to Tarrant County for the entire project will be \$3,030,000.00 in 2006 and the 2021 TBP funds.

The fiscal impact for FY 2025 will be \$1,928,000.00 and is available in account 47800-2025 2021 TBP DIS Judge / 6840100000 Transportation / 579061 County Projects.

SUBMITTED BY	Transportation Services	PREPARED BY:	Sarah VanTassel
		APPROVED BY:	Scott Hall

STATE OF TEXAS §
§ Amendment No. 1 of Interlocal Agreement
§ for Stone Road Widening
COUNTY OF TARRANT §

BACKGROUND

Tarrant County (“COUNTY”) and the City of Burleson (“CITY”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 140273, for financial support of up to \$3,030,000.00, for the cooperative funding of improvements to Stone Road from McCall Street to Alsbury Boulevard (“Project”) as described in the 2021 Tarrant County Bond Program.

Therefore, the COUNTY and CITY agree to the following revisions. Paragraphs III, IV, and V from the original Interlocal Agreement are repealed and replaced with the following language:

III.
TERM

This ILA shall become effective upon the approval of both parties and shall terminate on September 30, 2027, unless terminated as described in Section XIII in the original ILA or extended in writing and approved by both parties.

IV.
FISCAL FUNDING ACKNOWLEDGEMENT

Tarrant County bond funds will be encumbered on a fiscal year basis in accordance with the Certification of Available Funds shown herein. In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for payments due under this ILA Amendment, then the affected party will immediately notify the other party of such occurrence and this Amendment may be terminated on the last day of the fiscal period for which appropriations were received without penalty or expense to the affected party of any kind whatsoever, except to the portions of annual payments herein agreed upon for which funds shall have been appropriated.

V.
REIMBURSEMENT PROCESS

The COUNTY agrees to reimburse the CITY for 50% of the actual eligible PROJECT costs in an amount not to exceed \$3,030,000.00. Any reimbursement request from the CITY should include: 1) a copy of the invoice or billing for design services, right-of-way acquisition purchase, and construction; and 2) a copy of the check, a certification letter, or other documentation to verify the CITY’s proof of payment. The final reimbursement payment to the CITY will be contingent upon the City Manager or Mayor providing written notification to the COUNTY that the project is complete along with identification of final project costs. COUNTY bond funds for the Project are allocated as follows:

County Payment by Phase*

Design:	\$195,442.00 (2006 TBP)
ROW Acquisition:	\$52,709.00 (2006 TBP)
Construction:	\$251,849.00 (2006 TBP)
	<u>\$2,530,000.00 (2021 TBP)</u>
TOTAL:	\$3,030,000.00

TBP Funding Category: 2006 Discretionary Pct 1, 2021 Call for Projects

* *Reimbursement payments will be issued by the COUNTY for eligible expenses incurred during the Fiscal Year for which bond funds are certified by the Tarrant County Auditor.*

The CITY understands that the CITY will be responsible for cost overruns and any other expenses incurred by the CITY in performing the services described herein. The CITY agrees that the COUNTY retains control over when reimbursement payments will be disbursed to the CITY.

In addition to the foregoing replacement language, Attachment A is removed and deleted from the original Interlocal Agreement in full. All other paragraphs, terms and language outside of paragraphs III, IV, V, and the Attachment A remain unchanged and in effect.

APPROVED on this day the 18th day of November, 2024, by Tarrant County.

Commissioners Court Order No. _____.

TARRANT COUNTY, TEXAS

CITY OF BURLESON

Tim O'Hare, County Judge

Tommy Ludwig, City Manager

~~Roy Charles Brooks~~, Commissioner Pct 1
Miles F. Roderick, Jr.

APPROVED AS TO FORM:

Criminal District Attorney's Office*

City Attorney

City Secretary (If applicable)



* By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead, those parties should seek contract review from independent counsel.

CERTIFICATION OF AVAILABLE FUNDS IN THE AMOUNT OF:

\$ _____ *as follows:*

Fiscal year ending September 30, 2025: \$1,928,000.00 2021 TBP, CFP, Pct 1

Auditor's Office