



COMMISSIONERS COURT
COMMUNICATION

COURT ORDER NUMBER _____

PAGE 1 OF 6

DATE: 11/19/2024

SUBJECT: CONSIDERATION OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF SOUTHLAKE RELATED TO THE WEST CONTINENTAL BOULEVARD INTERSECTION IMPROVEMENTS PROJECT - 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 Southlake related to the West Continental Boulevard Intersection Improvements Project - 2021 Transportation Bond Program (TBP), located in Precinct 3.

BACKGROUND

On February 28, 2023, the Commissioners Court, through Court Order #140390, approved an ILA with the City of Southlake for financial support of up to \$2,225,000.00, for improvements to two (2) intersection locations on West Continental Boulevard as described in the 2021 Tarrant County Bond Program. The 2021 TBP funding for this project will be provided through the Call for Projects (CFP) funding category.

The project is in the construction 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expiration date to September 30, 2027, to continue the 2021 TBP funding for this project, and Articles III, IV, V, are repealed and replaced, and Attachment A is repealed in its entirety.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 \$2,225,000.00 in 2021 TBP funds.

The fiscal impact for FY 2025 will be \$47,196.00 and is available in account 47800-2025 2021 TBP CFP P3 / 6840100000 Transportation / 579061 County Projects.

| | | | |
|--------------|-------------------------|--------------|-----------------|
| SUBMITTED BY | Transportation Services | PREPARED BY: | Abbas Rastandeh |
| | | APPROVED BY: | Scott Hall |

County Payment by Phase*

| | |
|------------------|-----------------------|
| Design: | \$0.00 |
| ROW Acquisition: | \$0.00 |
| Construction: | <u>\$2,225,000.00</u> |
| TOTAL: | \$2,225,000.00 |

TBP Funding Category: 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, and V as well as Attachment A remain unchanged and in effect.

APPROVED on this day the ____ day of _____, 2024, by Tarrant County.

Commissioners Court Order No. _____.

TARRANT COUNTY, TEXAS

CITY OF SOUTHLAKE

Tim O'Hare, County Judge

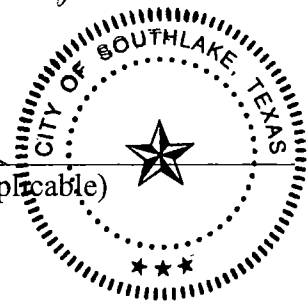
Shawn McCaskill, Mayor

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:

\$47,196.00 2021 TBP Call for Projects – Pct 3

Auditor's Office

PUBLIC WORKS SIGNATURE FORM

This form must accompany any document sent to the for signature. The document must be reviewed and initialed by the Department Director.

Document Title: Item 4F -Attachment A Amendment No. 1 of Interlocal Agreement for West Continental Boulevard Intersection

Project Name: West Continental Boulevard Intersection Improvements


Project Manager: jginn@ci.southlake.tx.us

City Council Date: 8/20/24

Type of Document: Inter-local Agreement

Approval Requirements: Mayor

Internal Preferred Method of Return: Receive email with executed digital copies

Director Approval:  _____
Rob Cohen

Please return signed hard copy to PWA if needed to be filed by CSO we request a digital copy be sent to PWA Admin

Questions: Bless Nkashama @ ext. 8098

CO# 144317



COMMISSIONERS COURT
COMMUNICATION

COURT ORDER NUMBER _____
PAGE 1 OF 6
DATE: 11/19/2024

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

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BACKGROUND

On February 28, 2023, the Commissioners Court, through Court Order #140390, approved an ILA with the City of Southlake for financial support of up to \$2,225,000.00, for improvements to two (2) intersection locations on West Continental Boulevard as described in the 2021 Tarrant County Bond Program. The 2021 TBP funding for this project will be provided through the Call for Projects (CFP) funding category.

The project is in the construction 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 2021 TBP funding for this project, and Articles III, IV, 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 \$2,225,000.00 in 2021 TBP funds.

The fiscal impact for FY 2025 will be \$47,196.00 and is available in account 47800-2025 2021 TBP CFP P3 / 6840100000 Transportation / 579061 County Projects.

| | | | |
|--------------|-------------------------|--------------|-----------------|
| SUBMITTED BY | Transportation Services | PREPARED BY: | Abbas Rastandeh |
| | | APPROVED BY: | Scott Hall |

STATE OF TEXAS §
 § **Amendment No. 1 of Interlocal Agreement**
 § **for West Continental Boulevard**
 COUNTY OF TARRANT § **Intersection Improvements**

BACKGROUND

Tarrant County (“COUNTY”) and the City of Southlake (“CITY”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 140390, for financial support of up to \$2,225,000.00, for the cooperative funding of improvements to two intersection locations on West Continental Boulevard. The first location is at the intersection of West Continental Boulevard at Davis Boulevard (FM 1938) and will also include improvements on Union Church Road. The second location is at the intersection of West Continental Boulevard at South Peytonville Avenue (“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 XII 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 \$2,225,000.00. 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: | \$0.00 |
| ROW Acquisition: | \$0.00 |
| Construction: | <u>\$2,225,000.00</u> |
| TOTAL: | \$2,225,000.00 |

TBP Funding Category: 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, and V as well as Attachment A remain unchanged and in effect.

APPROVED on this day the 19th day of November, 2024, by Tarrant County.

Commissioners Court Order No. 144317

TARRANT COUNTY, TEXAS

CITY OF SOUTHLAKE

Tim O'Hare, County Judge

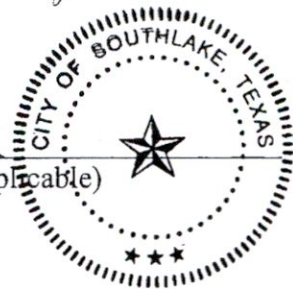
Shawn McCaskill, Mayor

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:

\$ 47,196.00^{MC} as follows:

Fiscal year ending September 30, 2025:

^{MC} \$47,196.00 2021 TBP Call for Projects – Pct 3

Kimberly M. Buchanan
Auditor's Office

PUBLIC WORKS SIGNATURE FORM

This form must accompany any document sent to the for signature. The document must be reviewed and initialed by the Department Director.

Document Title: Item 4F -Attachment A Amendment No. 1 of Interlocal Agreement for West Continental Boulevard Intersection

Project Name: West Continental Boulevard Intersection Improvements


Project Manager: jginn@ci.southlake.tx.us

City Council Date: 8/20/24

Type of Document: Inter-local Agreement

Approval Requirements: Mayor

Internal Preferred Method of Return: Receive email with executed digital copies

Director Approval:  _____

Rob Cohen

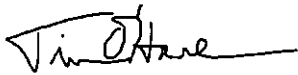
Please return signed hard copy to PWA if needed to be filed by CSO we request a digital copy be sent to PWA Admin

Questions: Bless Nkashama @ ext. 8098

Consideration of Amendment No. 1 to the Interlocal Agreement between Tarrant County and the City of Southlake Related to the West Continental Boulevard Intersection Improvements Project - 2021 Transportation Bond Program

SIGNED AND EXECUTED this 19 day of November, 2024.

**COUNTY OF TARRANT
STATE OF TEXAS**

A handwritten signature in black ink that reads "Tim O'Hare". The signature is written in a cursive style with a long horizontal line extending to the right.

Tim O'Hare
County Judge
11/26/2024