



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER _____

PAGE 1 OF 6

DATE: 12/3/2024

SUBJECT: CONSIDERATION OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF MANSFIELD RELATED TO THE HERITAGE PARKWAY WIDENING 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 Mansfield related to the Heritage Parkway Widening Project - 2021 Transportation Bond Program (TBP), located in Precinct 2.

BACKGROUND

On November 22, 2022, the Commissioners Court, through Court Order #139782, approved an ILA with the City of Mansfield for financial support of up to \$2,807,000.00, for widening improvements to the construction (or reconstruction) of Heritage Parkway from South Main Street to Commerce Drive as described in the Tarrant County 2021 TBP. The 2021 TBP funding for this project will be provided through the Call for Projects (CFP) funding category.

The project is in the final design and Right-of-Way acquisition phase, requiring that the expiration term be extended.

With approval, the original ILA will be amended to extend the expiration date to September 30, 2026, to continue the 2021 TBP funding for this project, and Articles III, IV, and V be repealed and replaced, and Attachment A will be repealed in its entirety.

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

FISCAL IMPACT

There is no fiscal impact associated with this action.

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

STATE OF TEXAS §
 § **Amendment No. 1 of Interlocal Agreement**
 § **for Heritage Parkway Widening**
COUNTY OF TARRANT §

BACKGROUND

Tarrant County (“COUNTY”) and the City of Mansfield (“CITY”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 139782, for financial support of up to \$2,807,000.00, for the cooperative funding of improvements to the construction (or reconstruction) of Heritage Parkway from South Main Street to Commerce Drive (“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 Paragraphs III, IV, and V from the original Interlocal Agreement are repealed and replaced with the following language: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, 2026, 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 \$2,807,000.00. 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:	\$325,000.00
ROW Acquisition:	\$10,000.00
Construction:	<u>\$2,472,000.00</u>
TOTAL:	\$2,807,000.00

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.

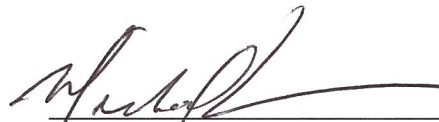
APPROVED on this day the ____ day of _____, 2024, by Tarrant County.

Commissioners Court Order No. _____.

TARRANT COUNTY, TEXAS

CITY OF MANSFIELD

Tim O'Hare, County Judge



Michael Evans, 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: \$0.00 2021 TBP Call for Projects – Pct 2

Auditor's Office

2021 Tarrant County Bond Program

Project Fact Sheet

City of Mansfield

Heritage Parkway Eastbound Lanes

Program Objectives

- Congestion Mitigation / Air Quality
- Safety Enhancement
- Strategically Significant (Proximity to Schools, Economic Development, etc.)
- Connectivity (New Roadway or Connection to Another City)
- Shovel Ready (Construction Start in 2022)

Project Ranking: 14

Project Type: Arterial
 From: South Main Street
 To: Commerce Drive
 Length (ft): 4,700

Map No. P-7

Existing Conditions:

Existing 4 lane, divided roadway

Proposed Conditions:

Reconstruct and widen of Eastbound lanes to 6 lane, divided roadway

Key Benefits:

- 1.) Westbound Lanes will be reconstructed in 2021/2022
- 2.) Support Distribution Centers
- 3.) Connection to Johnson County
- 4.) Provides Regional Connection between IH-35 to US 287 to SH 360
- 5.) Includes Continuous 8' Sidewalk

Project Scope:

- Mill and Overlay
- Reconstruction
- Reconstruction & Widening
- New Roadway Extension
- Drainage Study
- New Drainage System
- Intersection Improvements (Including Traffic Signals)
- Water and/or Sewer Improvements
- Other: Sidewalk/curb ramps
- Other:

Project Schedule:

	<u>Date</u>
Design (Completion)	Sep-22
ROW acquisition	Nov-22
Utility Relocation	Jan-23
Construction (Start)	Mar-23
Construction (End)	May-24

Timeline to Construction (Years): 1.2

Project Location Map:



Financial Data:

Eligible Cost	
Right-of-Way Cost	\$ 20,000.00
Design Services	\$ 650,000.00
Construction	\$ 4,070,000.00
Contingency	\$ 874,000.00

Total Cost \$ 5,614,000.00
 Lead Agency Share \$ 2,807,000.00
Tarrant County Share \$ 2,807,000.00

Ineligible Cost

Work Prior to Nov. 2021	
Other (Johnson County)	\$ 300,000.00
Management/Inspection/Testing	
Inflation	\$ 158,000.00
Total Cost	\$ 458,000.00

CO#144433



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SUBMITTED BY	Transportation Services	PREPARED BY:	Abbas Rastandeh
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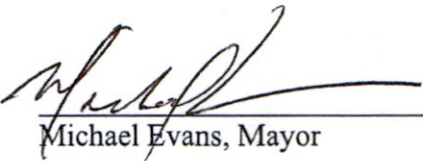
APPROVED on this day the ____ day of _____, 2024, by Tarrant County.

Commissioners Court Order No. _____.

TARRANT COUNTY, TEXAS

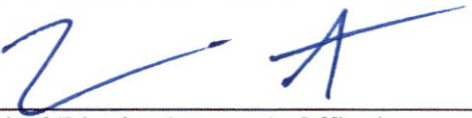
CITY OF MANSFIELD

Tim O'Hare, County Judge

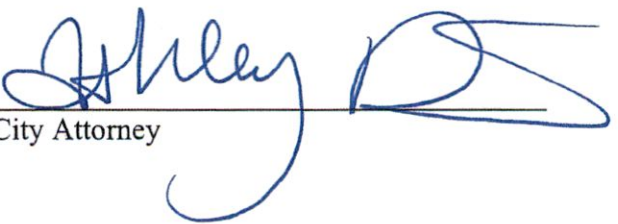


Michael Evans, Mayor


APPROVED AS TO FORM:



Criminal District Attorney's Office*



City Attorney



City Secretary (If applicable)

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\$ 0.00 as follows:

Fiscal year ending September 30, 2025:

in custody
\$0.00 2021 TBP Call for Projects – Pct 2

Kimberly M. Buchanan

Auditor's Office

2021 Tarrant County Bond Program

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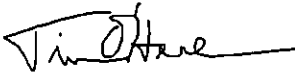
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Consideration of Amendment No. 1 to the Interlocal Agreement between Tarrant County and the City of Mansfield Related to the Heritage Parkway Widening Project - 2021 Transportation Bond Program

SIGNED AND EXECUTED this 3 day of December, 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
12/6/2024