

AGENDA ITEM 28

Consider and adopt resolution requesting the Texas Department of Transportation to waive the local match participation requirement on approved federal off-system bridge program projects within Williamson County in return for Williamson County performing an equivalent match project within Williamson County.

Joe England addressed the Court regarding six bridges which will cost approximately \$2.8 million with a \$280,000 match from the County.

Moved: **Commissioner Hays**

Seconded: **Commissioner Limmer**

Motion: To adopt a resolution requesting the Texas Department of Transportation to waive the local match participation requirement on approved federal off-system bridge program projects within Williamson County in return for Williamson County performing an equivalent match project within Williamson County.

Vote: **5 – 0**

< Attachment >

Resolution

The State of Texas §

§ Know All Men By These Presents:

County of Williamson §

That on this, the 25th day of May, A.D. 2004, the Commissioners Court of Williamson County, Texas, met duly called and convened lawful Session at the County Courthouse in Georgetown, Texas, with the following members present:

John Doerfler, County Judge, Presiding
Lisa Birkman, Commissioner Precinct One, and
Greg Boatright, Commissioner Precinct Two, and
David Hays, Commissioner Precinct Three, and
Frankie Limmer, Commissioner Precinct Four

WHERE, among other matters, came up for consideration and adoption the following Resolution:

WHEREAS, Williamson County is planning to replace several drainage structures in the near future as part of its Road Bond Program, and

WHEREAS, the Texas Department of Transportation (TxDOT) also has several structures, not on state highway routes, within the County listed in their Off-System Bridge Program, and

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) bridge located on public roads and streets off the designated state highway system; and

WHEREAS, Williamson County hereinafter referred to as the Local Government owns bridges at the locations listed below and such projects are currently listed in the approved Off-System Bridge Program as authorized by the Texas Transportation Commission Minute Order Number 109335 dated July 2003.

	<u>Estimated Project Direct Cost</u>
CR 258 at N. San Gabriel River	\$1,058,250
NBI Structure Number 14-246-0-AA01-47-002	
CR 403 at Mustang Creek	\$ 485,550
NBI Structure Number 14-246-0-AA04-42-002	
CR 424 at Long Branch	\$ 448,200
NBI Structure Number 14-246-0-AA03-49-001	
CR 118 at Cottonwood Creek	\$ 273,900
NBI Structure Number 14-246-0-AA04-94-001	

CR 112 at N. Fork McNutt Creek	\$ 267,675
NBI Structure Number 14-246-0-AA05-32-001	
CR 453 at Battleground Creek	\$ 311,250
NBI Structure Number 14-227-0-AA04-15-001	
Total	\$2,844,825

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

WHEREAS, Texas Administrative Code, Title 43, Section 15.55 (d) (43 TAC Section 15.55(d) provides that under specified conditions the 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 mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an "equivalent-match project"; and

WHEREAS, the total estimated local match fund participation requirement on those six (6) bridges on the approved Federal Off-System Bridge program is two hundred eighty four thousand four hundred eighty two dollars and fifty cents (\$284,482.50), hereinafter referred to as the "participation-waived" projects, such participation requirement the Local Government proposes be waived and in return perform or cause to be performed equivalent-match projects for structural improvement work,

THEREFORE, BE IT RESOLVED that the Local Government perform, or cause to be performed, the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved Federal Off-System Bridge Program (participation-waived) project not yet awarded:

The Local Government proposes to replace the bridge that is not on a school bus route at the following location with a new bridge (multiple span concrete beam) designed to accommodate the current legal load:

	<u>Estimated Construction Cost</u>
CR 268 at N. San Gabriel River	\$1,197,000.00
Total	\$1,197,000.00

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

And, the County requests accelerating the construction of all of these structures to completion as soon as possible, and

Further Resolved, that County Judge John Doerfler be, and is hereby, authorized to sign this Resolution as the act and deed of Commissioners Court and to execute any and all necessary documents in connection with these projects.

The foregoing Resolution was lawfully moved by Commissioner Hays, duly seconded by Commissioner Linner, and was then adopted by a vote of 5 voting for and 0 voting against. County Judge John C. Doerfler was duly authorized to sign said resolution as the act and deed of Commissioner's Court of Williamson and of said County

John C. Doerfler 5-25-04
John Doerfler, Williamson County Judge

Attest:

Nancy E. Rister
Nancy Rister, Williamson County Clerk

AGENDA ITEM 29

Discuss and consider approval of agreement and authorization for the Judge's signature for New Public Road Crossing Agreement with Union Pacific Railroad Company.

Assistant County Engineer Dwight L. Pittman addressed the Court regarding the three years' effort which has led to this agreement.

Moved: **Commissioner Limmer**

Seconded: **Judge Doerfler**

Motion: To grant approval of agreement and authorization for the Judge's signature for New Public Road Crossing Agreement with Union Pacific Railroad Company.

Vote: **5 – 0**

< Attachment >