

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

BACKGROUND

Tarrant County (“COUNTY”) and the City of Grand Prairie (“CITY”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 140452, for financial support of up to \$5,748,450.00, for the cooperative funding of improvements to the construction (or reconstruction) of Jefferson Street from Great Southwest Parkway to SW 23rd Street (“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 Paragraphs III, IV, and V from the original Interlocal Agreement are repealed and replaced with the following language: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 \$5,748,450.00. 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: | \$419,481.00 |
| ROW Acquisition: | \$295,200.00 |
| Construction: | <u>\$5,033,769.00</u> |
| TOTAL: | \$5,748,450.00 |

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 GRAND PRAIRIE

Tim O'Hare, County Judge

William A. Hills, City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Criminal District Attorney's Office*

Ron Harper
Assistant City Attorney

for _____
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, 2024:

\$295,200.00 2021 TBP Call for Projects – Pct 2

Auditor's Office



CITY OF GRAND PRAIRIE RESOLUTION

MEETING DATE: 05/21/2024

PRESENTER: Caryl DeVries, P.E., PTOE, Director of Transportation and Mobility

TITLE: Resolution amendment #2 to the Interlocal Agreement (ILA) between the City of Grand Prairie and Tarrant County, Texas for assistance in the reconstruction of Jefferson Street from SW 23rd Street to Great Southwest Parkway. This amendment will revise the renewal period and the language of the original ILA

REVIEWING COMMITTEE: (Reviewed by the City Council Development Committee on 05/21/2024)

SUMMARY:

| <i>Vendor Name</i> | <i>FY24 Funding</i> | <i>Total Project Funding</i> |
|--------------------|---------------------|------------------------------|
| Tarrant County | \$714,681 | \$5,748,450 |

PURPOSE OF REQUEST:

The City of Grand Prairie and Tarrant County entered into an Interlocal Agreement, for financial support of up to \$5,748,450.00, for the reconstruction of Jefferson Street from SW 23rd Street to Great Southwest Parkway.

On Tuesday, December 12, 2023, the Grand Prairie Council approved amendment #1 renewing the agreement and amending the schedule.

This amendment #2 will revise the renewal period from an annual basis to every three years and change the language in paragraphs III, IV, and V of the original ILA.

HISTORY:

| | <i>Amount</i> | <i>Approval Date</i> | <i>Reason</i> |
|----------------------|---------------|----------------------|---|
| <i>Original ILA:</i> | \$5,748,450 | 11/01/2022 | Initial agreement |
| <i>Amendment #1</i> | \$5,748,450 | 12/12/2023 | Annual renewal and schedule amendment |
| <i>Amendment #2</i> | \$5,748,450 | 06/04/2024 | Amendment to renewal period and paragraphs III, IV, and V of original ILA |

FINANCIAL CONSIDERATION:

| | | | |
|-----------|-------------------------------------|-----------------------------|-----------------|
| Budgeted? | <input checked="" type="checkbox"/> | Street Capital Project Fund | 400192-02306003 |
|-----------|-------------------------------------|-----------------------------|-----------------|

ATTACHMENTS / SUPPORTING DOCUMENTS:

1- Amendment #2

BODY

A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT AMENDMENT 2 TO THE INTER LOCAL AGREEMENT WITH TARRANT COUNTY FOR THE RECONSTRUCTION AND WIDENING OF JEFFERSON STREET FROM SW 23RD STREET TO GREAT SOUTHWEST PARKWAY.

WHEREAS, Tarrant County (“COUNTY”) and the City of Grand Prairie (“CITY”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 140452, for financial support of up to \$5,748,450.00, for the cooperative funding of improvements to the construction (or reconstruction) of Jefferson Street from Great Southwest Parkway to SW 23rd Street (“Project”) as described in the 2021 Tarrant County Bond Program.

WHEREAS, the COUNTY and CITY agree to the following revisions made to paragraphs III, IV, and V listed in the attached amendment 2.

WHEREAS, this ILA shall become effective upon the approval of both parties and shall terminate on September 30, 2026, unless terminated as described in Section XII in the original ILA or extended in writing and approved by both parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:

SECTION 1. The City Manager is hereby authorized to accept amendment 2 to the Inter Local Agreement with Tarrant County for the reconstruction and widening of Jefferson Street from SW 23rd Street to Great Southwest Parkway.

SECTION 2. 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.

SECTION 3. 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.

SECTION 4. In addition to the foregoing replacement language, Attachment A initial project schedule 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.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE,
TEXAS, ON THIS THE 4TH DAY OF JUNE 2024.**

A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT AMENDMENT 2 TO THE INTER LOCAL AGREEMENT WITH TARRANT COUNTY FOR THE RECONSTRUCTION AND WIDENING OF JEFFERSON STREET FROM SW 23RD STREET TO GREAT SOUTHWEST PARKWAY

WHEREAS, Tarrant County (“COUNTY”) and the City of Grand Prairie (“CITY”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 140452, for financial support of up to \$5,748,450.00, for the cooperative funding of improvements to the construction (or reconstruction) of Jefferson Street from Great Southwest Parkway to SW 23rd Street (“Project”) as described in the 2021 Tarrant County Bond Program.

WHEREAS, the COUNTY and CITY agree to amend the Agreement as set forth in the Amendment of Interlocal Agreement for Jefferson Street Widening, by repealing and replacing paragraphs III, IV, and V as listed in the attached amendment 2.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:

SECTION 1. The City Manager is hereby authorized to accept amendment 2 to the Inter Local Agreement with Tarrant County for the reconstruction and widening of Jefferson Street from SW 23rd Street to Great Southwest Parkway.

SECTION 2. This ILA shall become effective upon the approval of both parties and shall terminate on September 30, 2026, unless terminated as described in Section XII in the original ILA or extended in writing and approved by both parties.

SECTION 3. 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.

SECTION 4. 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.

SECTION 5. Attachment A initial project schedule 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.

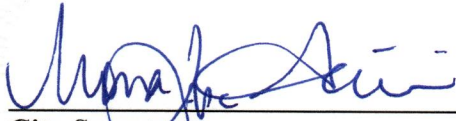
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 4TH DAY OF JUNE 2024.

APPROVED:

A handwritten signature in black ink, appearing to read 'Ron Jensen', is written over a horizontal line.

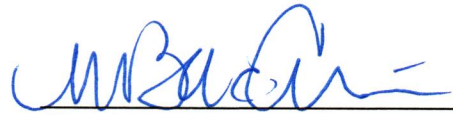
Ron Jensen, Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:



City Attorney