

STATE OF TEXAS § Amendment No. 1 of Interlocal Agreement
 § for FM 156 at Industrial Avenue Intersection
COUNTY OF TARRANT § Improvements (Construction Phase)

BACKGROUND

Tarrant County ("COUNTY") and the City of Saginaw ("CITY") entered into a Funding Interlocal Agreement (ILA) on November 1, 2022, by Commissioners Court Order No. 139607, related to the FM 156 (South Blue Mound Road) at the intersection of South Blue Mound Road at East Industrial Avenue and Cantrell Sansom Road to include new pavement, sidewalks, left and right turn lanes, and signal upgrades for the financial support of up to \$109,000.00 through the Tarrant County 2006 Transportation Bond Program (TBP)

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 Paragraphs III, IV, and V from the original Interlocal Agreement are repealed and replaced with the following language: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, 2025, 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 eligible construction expenses required for the PROJECT in an amount not to exceed \$109,000.00. 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>\$109,000.00</u>
TOTAL:	\$109,000.00

TBP Funding Category: 2006 TBP, Precinct 4 Discretionary

** 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 SAGINAW

Tim O'Hare, County Judge



Todd Flippo, Mayor

Manny Ramirez, Commissioner, Precinct 4

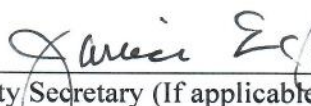
APPROVED AS TO FORM:

Criminal District Attorney's Office*

**APPROVED AS TO FORM AND
CONTENT:**



Bryn Meridith, 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, 2024: \$109,000.00 2006 TBP – Pct. 4 Discretionary

Auditor's Office