



COMMISSIONERS COURT  
COMMUNICATION

REFERENCE NUMBER \_\_\_\_\_

PAGE 1 OF 7

DATE: 09/17/2024

SUBJECT: **CONSIDERATION OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF FORT WORTH RELATED TO THE INTERMODAL 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 Fort Worth related to the Intermodal Parkway Widening Project - 2021 Transportation Bond Program (TBP), located in Precinct 3.

**BACKGROUND**

On May 2, 2023, the Commissioners Court, through Court Order #140839, approved an ILA with the City of Fort Worth for financial support of up to \$6,750,000.00, for widening improvements to the Intermodal Parkway from BNSF Railway to Old FM 156 as described in the 2021 Tarrant County Bond Program. The 2021 TBP funding for this project will be provided through the Call for Projects funding category.

The project is in the final design and Right-of-Way acquisition 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, 2025, to continue the 2021 TBP funding for this project.

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 is \$6,750,000.00 in 2021 TBP funds.

The fiscal impact to FY 2024 is \$4,089,287.00 and is available in account 47800-2024 2021 TBP CFP P3 / 6840100000 Transportation / 579061 County Projects.

SUBMITTED BY:	Transportation	PREPARED BY: APPROVED BY:	Abbas Rastandeh Scott Hall
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STATE OF TEXAS           §  
                                     §     Amendment No. 1 of Interlocal Agreement  
                                     §     for Intermodal Parkway Widening  
COUNTY OF TARRANT §

**BACKGROUND**

Tarrant County ("COUNTY") and the City of Fort Worth ("CITY") entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 140839, City Secretary No. 59370, for financial support of up to \$6,750,000.00, for the cooperative funding of improvements to Intermodal Parkway from BNSF Railway to Old FM 156 ("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, 2025, 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 ILA as amended 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 \$6,750,000.00. 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>\$6,750,000.00</u>
TOTAL:	\$6,750,000.00

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 hereby removed and deleted. All other paragraphs and attachments not amended or deleted remain in full force and effect.

APPROVED on this day the 17<sup>th</sup> day of September, 2024, by Tarrant County.

Commissioners Court Order No. 143943.

TARRANT COUNTY, TEXAS



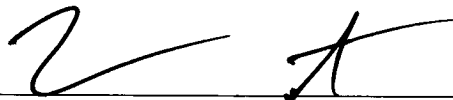
Tim O'Hare, County Judge

CITY OF FORT WORTH



Jessica McEachern, Assistant City Manager

APPROVED AS TO FORM:



Criminal District Attorney's Office\*



Douglas Black (Aug 2, 2024 13:19 CDT)

City Attorney

N/A  
M&C

\_\_\_\_\_  
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:**

\$ 4,089,287.00 as follows:

Fiscal year ending September 30, 2024:

Kimberly M. Buchanan  
Auditor's Office

~~\$4,339,287.00~~ <sup># 4,089,287.00</sup> <sup>W. C. Kelly</sup>

2021 TBP Call for Projects – Pct 3



**Routing and Transmittal Slip**  
**Transportation & Public Works**  
**Department**

**DOCUMENT TITLE:** Intermodal Pkwy -Tarrant Co. ILA Amndt No. 1

**M&C:** 23-0154 (orig) **CPN:** 103332 **CSO:** 59370 **DOC#:** N/A

**Date:** 7/15/2024

To:	Name	Department	Initials	Date Out
1.	Alexiz Ramirez- Business Support	TPW - Initial	AR	Jul 29, 2024
2.	Raul Lopez – Program Manager	TPW - Initial	RL	Jul 29, 2024
3.	Lisette Acevedo – Sr CPO	TPW - Initial	LA	Jul 30, 2024
4.	Patricia L. Wadsack – CDD AD	TPW - Initial	PL	Aug 1, 2024
5.	Lauren Prieur - Director	TPW - Initial	LP	Aug 2, 2024
6.	Doug Black	Legal– Signature	DB	Aug 2, 2024
7.	Jesica McEachern	CMO – Signature	JM	Aug 8, 2024
8.	Jannette Goodall	CSO - Signature		
9.	TPW Contracts			

**CC:** Program Manager, Sr. CPO, TPW BSP Recon Team, TPW Records Room, TPW Contracts – (by eBuilder approval workflow)

**DOCUMENTS FOR CITY MANAGER'S SIGNATURE:** All documents received from any and all City Departments requesting City Manager's signature for approval **MUST BE ROUTED TO THE APPROPRIATE ACM** for approval first. Once the ACM has signed the routing slip, David will review and take the next steps.

**NEEDS TO BE NOTARIZED:** ☐ YES ☒ No

**RUSH:** ☐ YES ☒ No **SAME DAY:** ☐ YES ☒ No **NEXT DAY:** ☐ YES ☒ No

**ROUTING TO CSO:** ☒ YES ☐ No

**Action Required:**

- ☐ As Requested
- ☐ For Your Information
- ☒ Signature/Routing and or Recording
- ☐ Comment
- ☐ File

☐ Attach Signature, Initial and Notary Tabs










# 103332-EPIA-Intermodal Pkwy -Tarrant Co. ILA Amndt No. 1


Final Audit Report


2024-08-08


Created:	2024-07-26
By:	Andrea Munoz (Andrea.Munoz@fortworthtexas.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAuzIJyIDFTCgdMPkIiFEmXa6hhdjiVNnE


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2024-07-26 - 11:31:12 PM GMT
-  Document emailed to Raul Lopez Roura (Raul.LopezRoura@fortworthtexas.gov) for filling  
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-  Email viewed by Raul Lopez Roura (Raul.LopezRoura@fortworthtexas.gov)  
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-  Form filled by Lissette Acevedo (Lissette.Acevedo@fortworthtexas.gov)  
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Signature Date: 2024-08-08 - 5:48:01 AM GMT - Time Source: server- IP address: 204.10.90.100

 Agreement completed.  
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