

109

CO#143942



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 CROMWELL MARINE CREEK ROAD 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 Cromwell Marine Creek Road Widening Project - 2021 Transportation Bond Program (TBP), located in Precinct 4.

**BACKGROUND**

On May 2, 2023, the Commissioners Court, through Court Order #140838, approved an ILA with the City of Fort Worth for financial support of up to \$13,910,000.00, for widening improvements to the Cromwell Marine Creek Road from Boat Club Road to Marine Creek Parkway 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 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, 2026 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 \$13,910,000.00 in 2021 TBP funds.

The fiscal impact for FY 2024 will be \$5,928,750.00 and is available in account 47800-2024 2021 TBP CFP P4 / 6840100000 Transportation / 579061 County Projects.

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

STATE OF TEXAS

§  
§  
§  
§

**Amendment No. 1 of Interlocal Agreement  
for Cromwell Marine Creek Road 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. 140838, City Secretary No. 59380, for financial support of up to \$13,910,000.00, for the cooperative funding of improvements to Cromwell Marine Creek Road from Boat Club Road to Marine Creek Parkway ("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 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 \$13,910,000.00. 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:	\$350,000.00
ROW Acquisition:	\$1,350,000.00
Construction:	<u>\$12,210,000.00</u>
TOTAL:	\$13,910,000.00

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.*

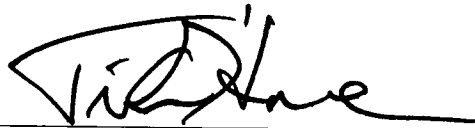
The CITY understands that the CITY will be responsible for cost overruns and any other expenses incurred by the CITY in performing the services described herein. The CITY agrees that the COUNTY retains control over when reimbursement payments will be disbursed to the CITY.

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. 143942

TARRANT COUNTY, TEXAS



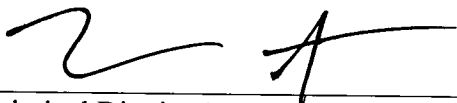
Tim O'Hare, County Judge

CITY OF FORT WORTH

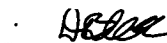


Jessica McEachern, Assistant City Manager

APPROVED AS TO FORM:



Criminal District Attorney's Office\*



Douglas Black (Jul 31, 2024 15:15 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:**

\$ \$5,928,750.00 as follows:

Fiscal year ending September 30, 2024:

Auditor's Office

\$5,928,750.00 *W. G. G.*

~~\$6,278,750.00~~ 2021 TBP Call for Projects – Pct 4

*Kimberly M. Buchanan*



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

**DOCUMENT TITLE: Cromwell Marine Crk -Tarrant Co. ILA Amndt  
No. 1**

**M&C: 23-0154 (orig) CPN: 101012 CSO: 59380 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 26, 2024
3.	Lisette Acevedo – Sr CPO	TPW - Initial	LA	Jul 30, 2024
4.	Patricia L. Wadsack – CDD AD	TPW - Initial	PL	Jul 30, 2024
5.	Lauren Prieur - Director	TPW - Initial	LP	Jul 30, 2024
6.	Doug Black	Legal– Signature	DB	Jul 31, 2024
7.	Jesica McEachern	CMO – Signature	JM	Aug 2, 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**










# 101012-EPIA-Cromwell Marine Crk -Tarrant Co. ILA Amndt No. 1

Final Audit Report

2024-08-02


Created:	2024-07-26
By:	Andrea Munoz (Andrea.Munoz@fortworthtexas.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAUoRA8pGAEIALqRuOk7q8pweamkm9bZpp

## "101012-EPIA-Cromwell Marine Crk -Tarrant Co. ILA Amndt No. 1" History


-  Document created by Andrea Munoz (Andrea.Munoz@fortworthtexas.gov)  
2024-07-26 - 10:16:30 PM GMT- IP address: 204.10.90.100
-  Document emailed to Alexiz Ramirez (Alexiz.Ramirez@fortworthtexas.gov) for filling  
2024-07-26 - 10:20:37 PM GMT
-  Document emailed to Raul Lopez Roura (Raul.LopezRoura@fortworthtexas.gov) for filling  
2024-07-26 - 10:20:38 PM GMT
-  Email viewed by Raul Lopez Roura (Raul.LopezRoura@fortworthtexas.gov)  
2024-07-26 - 10:24:36 PM GMT- IP address: 204.10.90.100
-  Form filled by Raul Lopez Roura (Raul.LopezRoura@fortworthtexas.gov)  
Form filling Date: 2024-07-26 - 10:24:58 PM GMT - Time Source: server- IP address: 204.10.90.100
-  Email viewed by Alexiz Ramirez (Alexiz.Ramirez@fortworthtexas.gov)  
2024-07-29 - 2:42:20 PM GMT- IP address: 204.10.90.100
-  Form filled by Alexiz Ramirez (Alexiz.Ramirez@fortworthtexas.gov)  
Form filling Date: 2024-07-29 - 2:42:32 PM GMT - Time Source: server- IP address: 204.10.90.100
-  Document emailed to Lissette Acevedo (Lissette.Acevedo@fortworthtexas.gov) for filling  
2024-07-29 - 2:42:34 PM GMT
-  Form filled by Lissette Acevedo (Lissette.Acevedo@fortworthtexas.gov)  
Form filling Date: 2024-07-30 - 6:33:57 PM GMT - Time Source: server- IP address: 204.10.90.100




Powered by  
Adobe  
Acrobat Sign

 Form filling automatically delegated to Lissette Acevedo (lissette.acevedo@fortworthtexas.gov) by Patricia Wadsack (patricia.wadsack@fortworthtexas.gov)


2024-07-30 - 6:33:59 PM GMT

 Document emailed to Patricia Wadsack (patricia.wadsack@fortworthtexas.gov) for filling


2024-07-30 - 6:33:59 PM GMT

 Document emailed to Lissette Acevedo (lissette.acevedo@fortworthtexas.gov) for filling


2024-07-30 - 6:33:59 PM GMT

 Form filled by Lissette Acevedo (lissette.acevedo@fortworthtexas.gov)


Form filling Date: 2024-07-30 - 6:35:11 PM GMT - Time Source: server- IP address: 204.10.90.100

 Document emailed to Lauren Prieur (Lauren.Prieur@fortworthtexas.gov) for filling

2024-07-30 - 6:35:12 PM GMT

 Email viewed by Lauren Prieur (Lauren.Prieur@fortworthtexas.gov)


2024-07-30 - 6:44:41 PM GMT- IP address: 76.227.105.128

 Form filled by Lauren Prieur (Lauren.Prieur@fortworthtexas.gov)

Form filling Date: 2024-07-30 - 6:45:47 PM GMT - Time Source: server- IP address: 76.227.105.128

 Document emailed to Priscilla Ramirez (Priscilla.Ramirez@fortworthtexas.gov) for approval

2024-07-30 - 6:45:49 PM GMT

 Email viewed by Priscilla Ramirez (Priscilla.Ramirez@fortworthtexas.gov)

2024-07-30 - 7:34:11 PM GMT- IP address: 174.211.163.178

 Document approved by Priscilla Ramirez (Priscilla.Ramirez@fortworthtexas.gov)

Approval Date: 2024-07-31 - 3:06:25 PM GMT - Time Source: server- IP address: 204.10.90.100

 Document emailed to Douglas Black (Douglas.Black@fortworthtexas.gov) for signature

2024-07-31 - 3:06:27 PM GMT

 Document e-signed by Douglas Black (Douglas.Black@fortworthtexas.gov)

Signature Date: 2024-07-31 - 8:15:40 PM GMT - Time Source: server- IP address: 204.10.90.100

 Document emailed to Jesica McEachern (jesica.mceachern@fortworthtexas.gov) for signature

2024-07-31 - 8:15:42 PM GMT

 Document e-signed by Jesica McEachern (jesica.mceachern@fortworthtexas.gov)

Signature Date: 2024-08-02 - 6:24:51 AM GMT - Time Source: server- IP address: 204.10.90.100

 Agreement completed.

2024-08-02 - 6:24:51 AM GMT



Powered by  
Adobe  
Acrobat Sign