

**STATE OF TEXAS           §       Amendment of Interlocal Agreement**  
**§       for Sublett Road Widening Project**  
**COUNTY OF TARRANT   §**

**BACKGROUND**

1. Tarrant County ("COUNTY") and the City of Arlington ("CITY") entered into a Funding Interlocal Agreement (ILA) on December 11, 2018 by Commissioners Court Order No. 129239 for the financial support of up to \$2,000,000.00 through the Tarrant County 2006 Transportation Bond Program (TBP) for right-of-way acquisition and construction phases of the Sublett Road widening project ("Project") from the western city limits of the City of Arlington to Joplin Road.
2. The COUNTY and the CITY desire to amend the ILA as described herein.

Therefore, the COUNTY and the CITY agree to the following:

3. Section II (Scope of Services Provided by City) is amended as follows:
  - A. Total project cost summary including all construction, engineering, design and governmental approval costs (collectively referred to as "Costs");
  - B. Engineering Services contract administration, site review, permitting and inspection;
  - C. ROW improvements;
  - D. Construction administration;
  - E. Interagency cooperation;
  - F. A quarterly progress report documenting the percentage completed for each major component of the project detailed in the Engineering Services contract shall be provided to the COUNTY to be submitted by the 5<sup>th</sup> day of each quarter;
  - G. CITY will notify the COUNTY upon completion of the project.
  - H. CITY will include the following language on all on-site public notice signage:

"This project is funded by the City of Arlington and the Tarrant County Commissioners Court through the 2006 Tarrant County Bond Program"
  - I. Compliance with Laws: In providing the services required by this Agreement, CITY'S

Contractor must observe and comply with all applicable federal, state, and local statutes, ordinances, rules, and regulations, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and non-discrimination laws and regulations. CITY'S Contractor shall be responsible for ensuring its compliance with any laws and regulations applicable to its business, including maintaining any necessary licenses and permits.

4. Section III (Term) is amended to read as follows:

This agreement shall become effective upon the approval of both parties and shall terminate on December 31, 2024 unless extended in writing and approved by both parties.

5. Section IV (Cost) is amended to read as follows:

COUNTY agrees to reimburse CITY a maximum amount of \$2,000,000 for ROW acquisition and/or Construction costs. The estimated ROW acquisition is \$358,232.00 and the remaining amount of \$1,641,768.00 shall be applied to the construction costs. Payment to CITY shall be in accordance with Attachment A which is attached hereto and hereby made a part of this Agreement for all purposes. Attachment A incorporated into this agreement by reference sets forth the funding schedule for this reimbursement. The Parties agree COUNTY has no obligation to provide payments during schedule delays. The Parties further agree COUNTY's payments for the Project are contingent upon the CITY's and COUNTY'S reasonable determination that the work for which reimbursement is sought has been successfully completed.

Prior to the final payment, the CITY agrees to provide certification signed by the City Manager or other authorized official that the work has been completed and that the funds being requested have been expended. The Parties acknowledge that the funding contained herein is designated for ROW acquisition and a portion of the construction costs specifically related to the widening of Sublett Road from the western city limits of the City of Arlington to Joplin Road.

6. Except as amended above, this ILA remains in full force and effect.

APPROVED on this day, the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by Tarrant County.

Commissioners Court Order No. \_\_\_\_\_.

**TARRANT COUNTY**

\_\_\_\_\_  
Tim O'Hare, County Judge

\_\_\_\_\_  
Alisa Simmons, Commissioner, Precinct 2

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Criminal District Attorney's Office\*

**CITY OF ARLINGTON**

\_\_\_\_\_  
Jim Ross, Mayor

**ATTEST:**

\_\_\_\_\_  
Alex Busken, City Secretary

**APPROVED AS TO FORM AND  
CONTENT:**

\_\_\_\_\_  
City Attorney

\*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, 2023:	\$ 905,488.00
Fiscal year ending September 30, 2024:	\$1,094,512.00
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	\$2,000,000.00

\_\_\_\_\_  
Auditor's Office

## ATTACHMENT A

### Project Information

City: City of Arlington  
Project Name: Sublett Road Widening

### Project Schedule

	Start Date	Duration (mo.)	End Date
Design:	-	-	-
ROW Acquisition:	-	-	Feb - 2023
Utility Relocation:	-	-	-
Construction:	Mar-2023	18	Sep-2024

### Reimbursement Payment by Phase

Design:	\$	0.00
ROW Acquisition:	\$	358,232.00
Utility Relocation:	\$	0.00
Construction:	\$	<u>1,641,768.00</u>
TOTAL:	\$	2,000,000.00*

\* Funded by 2006 TBP discretionary funds from Precinct 2

### Reimbursement Payment Schedule by Calendar Quarter (SUBJECT TO CHANGE)

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
2023	\$358,232.00	\$273,628	\$273,628	\$273,628
2024	\$273,628	\$273,628	\$273,628	\$
2025	\$	\$	\$	\$
2026	\$	\$	\$	\$



**Resolution No. 23-109**

**A resolution authorizing the execution of an Amendment of Interlocal Agreement for Sublett Road Widening Project with Tarrant County, Texas, relative to the Sublett Road (City Limits to Joplin Road) rebuild and widening project**

WHEREAS, on November 27, 2018, City Council approved Resolution No. 18-305, authorizing the execution of an Interlocal Agreement with Tarrant County, Texas, for the right-of-way acquisition and construction improvements relative to the Sublett Road (City Limits to Joplin Road) rebuild and widening project in the maximum amount of \$2,000,000; and

WHEREAS, the right-of-way acquisition phase has been completed and the total final cost was less than the amount allocated in the original Interlocal Agreement; and

WHEREAS, the City is requesting the reallocation of funds from the right-of-way acquisition phase to the construction phase; NOW THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

**I.**

That the City Manager or his designee is hereby authorized to execute an Amendment of Interlocal Agreement for Sublett Road Widening Project with Tarrant County, Texas, relative to the Sublett Road (City Limits to Joplin Road) rebuild and widening project in the maximum amount of \$2,000,000. The Amendment provides that the estimated right-of-way acquisition is \$358,232 and the remaining amount of \$1,641,768 will be applied to the construction costs.

**II.**

A substantial copy of the Amendment of Interlocal Agreement for Sublett Road Widening Project is attached hereto and incorporated herein for all intents and purposes.

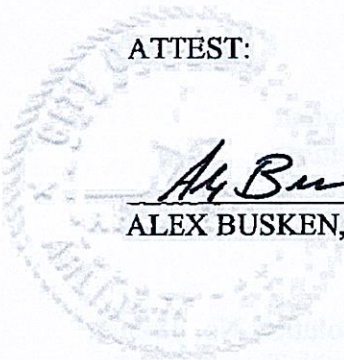
PRESENTED AND PASSED on this the 25th day of April, 2023, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.



JIM R. ROSS, Mayor



ATTEST:



Alex Busken  
ALEX BUSKEN, City Secretary

APPROVED AS TO FORM:  
MOLLY SHORTALL, City Attorney

BY Molly Shortall

