

TxDOT:				Federal Highway Administration:	
CCSJ #	0915-00-242	AFA ID	Z00008925	CFDA No.	20.205
AFA CSJs	0915-00-242			CFDA Title	Highway Planning and Construction
District #	15	Code Chart 64#	29900		
Project Name	CS; 0915-00-242; Barbarosa/Saur Expansion			<i>AFA Not Used For Research & Development</i>	

THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
For
Surface Transportation Blocked Grant (STBG)
Off-System**

AMENDMENT #1

THIS AMENDMENT is made by and between the State of Texas, acting through the **Texas Department of Transportation**, called the “State”, and the **City of New Braunfels**, acting by and through its duly authorized officials, called the “Local Government”. The State and Local Government shall be collectively referred to as “the parties” hereinafter.

WITNESSETH

WHEREAS, the parties executed a contract on **March 14, 2024** to effectuate their agreement to **expand a roadway from two lanes to four lanes**; and,

WHEREAS, it has become necessary to amend that contract in order to **increase funding granted by the MPO**;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, the parties do agree as follows:

AGREEMENT

1. Attachment B, **Project Budget**, is deleted in its entirety and replaced with Attachment B-1, **Project Budget**, which is attached to and made a part of this Amendment. The total estimated cost of the Project **increased** by \$ **14,396,725**, from \$ **12,442,553** to \$ **26,839,278**, due to **cost escalation impacts, including increased labor and material costs, since the execution of the original agreement. This amendment also refines the project budget by establishing separate lines for the Construction and Construction Engineering costs, as well as adding a line to identify funds obligated for Change Orders, in accordance with MPO policy.**
2. Attachment C, Resolution, Ordinance, or Commissioners Court Order, is supplemented by adding Attachment C-1, Resolution, Ordinance, or Commissioners Court Order. **The new Resolution recognizes the additional funding granted by the MPO for cost escalation.**

All other provisions of the original contract are unchanged and remain in full force and effect.

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Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this Agreement on the date stated under that party's signature.

THE STATE OF TEXAS

THE LOCAL GOVERNMENT

Signature

Typed or Printed Name

Typed or Printed Title

Date

Signature

Typed or Printed Name

Typed or Printed Title

Date

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ATTACHMENT B-1 PROJECT BUDGET

Costs will be allocated based on 80% Federal funding and 20% Local Government funding until the Federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of cost overruns.

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Construction (by Local Government)	\$22,049,266	80%	\$17,639,413	0%	\$0	20%	\$4,409,853
Construction Change Orders (by Local Government) (Federal Max per MPO Policy)	\$2,204,927	80%	\$1,763,941	0%	\$0	20%	\$440,985
Construction Engineering (by Local Government) (Federal Max per MPO Policy)	\$2,425,419	80%	1,940,355	0%	\$0	20%	\$485,084
Subtotal	\$26,679,612	\$21,343,689		\$0		\$5,335,922	
Environmental Direct State Costs	\$16,507	0%	\$0	0%	\$0	100%	\$16,507
Engineering Direct State Costs	\$33,015	0%	\$0	0%	\$0	100%	\$33,015
Right of Way Direct State Costs	\$16,507	0%	\$0	0%	\$0	100%	\$16,507
Utility Direct State Costs	\$16,507	0%	\$0	0%	\$0	100%	\$16,507
Construction Direct State Costs	\$68,792	0%	\$0	0%	\$0	100%	\$68,792
Subtotal	\$151,329	\$0		\$0		\$151,329	
Indirect State Costs (5.51%)	\$8,338	0%	\$0	100%	\$8,338	0%	\$0
TOTAL	\$26,839,278	\$21,343,689		\$8,338		\$5,487,251	

Initial payment by the Local Government to the State (received 04/19/2024): \$151,329.

Payment by the Local Government to the State before construction: \$0.

Estimated total payment by the Local Government to the State \$151,329.

This is an estimate. The final amount of Local Government participation will be based on actual costs.

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**ATTACHMENT C-1
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER**