

CSJ #: 0918-46-289  
Project: Valley Ridge Boulevard  
Limits: From Mill Street to College Street  
District #:18 - Dallas  
Code Chart 64 #: 24500  
Funding Category: RTR (SH 121 Subaccount)

**STATE OF TEXAS           §**

**COUNTY OF TRAVIS       §**

**ADVANCE FUNDING AGREEMENT  
AMENDMENT # 1**

**THIS AMENDMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation, called the State, and City of Lewisville, acting by and through its duly authorized officials, called the Local Government.

**W I T N E S S E T H**

**WHEREAS**, the State and the Local Government executed an Agreement on December 21, 2015 to effectuate their agreement to allocate funds from the SH 121 Subaccount for the construction of 0 to 4-lane divided urban arterial on Valley Ridge Boulevard from Mill Street to College Street in the City of Lewisville, Dallas County; and,

**WHEREAS**, it has become necessary to amend that Agreement to increase funding participation; and,

**WHEREAS, the Local Government has requested additional funds from the SH 121 Subaccount for the** construction of a four-lane divided urban arterial roadway on Valley Ridge Boulevard from Mill Street to College Street in the City of Lewisville (0918-46-289) (Project).

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

**A G R E E M E N T**

**1. Description of Amended Items**

**A. Article 2. Project Funding** of the original agreement is deleted in its entirety and replaced with:

**Article 2. Project Funding**

The State will pay money to the Local Government from the SH 121 Subaccount in the amount specified in Attachment A-1, Payment Provision and Work Responsibilities. Except as provided in the next succeeding sentence, the payments will begin no later than upon the later of the following: (1) fifteen days after the Legislative Budget Board and the Governor each approve the expenditure, in accordance with Rider 27 of the Texas Department of Transportation bill pattern in Senate Bill 1, 85th Legislature; and (2) thirty days after execution of this Agreement. If Attachment A-1 shows that the RTC has allocated payments to the Local Government for a certain expenditure (e.g. construction) for the Project in a certain fiscal year, then the State will make the payment from the SH 121 Subaccount to the Local Government for such expenditure no later than 30 days after the beginning of the designated Fiscal Year. A Fiscal Year begins on September 1 (for example, the 2014 Fiscal Year began September 1, 2013).

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- B. Attachment A. Payment Provision and Work Responsibilities** of the original agreement is deleted in its entirety and replaced with:

**Attachment A-1. Payment Provision and Work Responsibilities** for CSJ 0918-46-289, which is attached to and made part of this Agreement.

Each reference to Attachment A. Payment Provision and Work Responsibilities of the original agreement is to be replaced with Attachment A-1 Payment Provision and Work Responsibilities.

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

## **2. Signatory Warranty**

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

**THIS AGREEMENT IS EXECUTED** by the State and the Local Government in duplicate.

### **THE LOCAL GOVERNMENT - CITY OF LEWISVILLE**

By: \_\_\_\_\_  
Donna Barron  
City Manager

Date: \_\_\_\_\_

### **THE STATE OF TEXAS**

By: \_\_\_\_\_  
Kenneth Stewart  
Director of Contract Services  
Texas Department of Transportation

Date: \_\_\_\_\_

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### **ATTACHMENT A-1**

#### **Payment Provision and Work Responsibilities**

For CSJ# 0918-46,289, the State will pay \$6,000,000 (an increase of \$1,300,000) from SH 121 Subaccount for the construction of a four-lane divided urban arterial roadway on Valley Ridge Boulevard from Mill Street to College Street in the City of Lewisville.

In accordance with the allocation of funds approved by the RTC, and concurred with by the Texas Transportation Commission, the State will make the payments for the following work in the following Fiscal Years:

<b>PROJECT COSTS</b>				
Description	Fiscal Year	Total Estimate Cost	Regional Toll Revenue (RTR) SH 121 Subaccount Funds Participation	Local Government Participation
Construction (by Local)	2016	\$5,875,000	\$4,700,000	\$1,175,000
Construction (by Local)	2018	\$1,625,000	\$1,300,000	\$325,000
<b>TOTAL</b>		<b>\$7,500,000</b>	<b>\$6,000,000</b>	<b>\$1,500,000</b>

The Local Government required Local Match is **\$1,500,000**.

Upon completion of the Project, the Local Government will issue a signed "Notification of Completion" document to the State. The notice shall certify that the Project has been completed, all necessary inspections have been conducted, and the Project is open to traffic.