

RESOLUTION

The State of Texas
County of Tyler

WHEREAS, the federal off-system bridge program is administered by the Texas Department of Transportation the State of Texas to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, Tyler County, hereinafter referred to as the Local Government owns bridges located at CR 2300 Little Cypress Creek, National Bridge Inventory Structure Number 20-229-0-AA01-37-001 local designation N/A; and.

WHEREAS, a project to remedy the bridges is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Code Order Number 116073, dated August 31, 2021; and

WHEREAS, the usual fund participation ratio for projects on such program is 80% federal, 10% state and 10% Local Government; and

WHEREAS, Texas Administration Code, Title 43, Section 15.55 (d) (43 TAC Section 15.55 (d) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waived with agreement by the Local Government to perform or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an "equivalent-match project", and

WHEREAS, the estimated local match fund participation requirement on the approval federal off-system bridge project is \$16,285.50 (dollars) , hereinafter referred to as the "participation-waived" project, such participation requirement the Local Government proposes be waived and in return perform or cause to be performed equivalent-match project structural improvement work.

THEREFORE, BE IT RESOLVED that the Local Government perform, or cause to be performed, the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved federal off-system bridges program (participation-waived project not yet awarded).

LOCATION (and structure identified number, if applicable)	ON SCHOOL BUS ROUTE?	DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK	ESTIMATED COST
CR 2790_Crow Creek #202290AA01580001	Yes	Repair header wall on East side and fill eroded area with concrete. Encase lower section of piling with concrete place object warning signage at each approach.	\$15,300.00
CR 2810 Cowpen Creek #202290AA0144002		Erosion mitigation by using rip rap.	\$5,600.00

BE IT FURTHER RESOLVED that in receiving this waiver the Local Government acknowledges its obligation to conform with all conditions of 43 TAC Section 15.55 (d); such conditions that include but are not restricted to the following:

1. The Local Government must be currently in compliance with load posting and closure regulations as defined in National Bridge Inspection Standards under US Code of Federal Regulations, Title 23, Section 650.303.
2. The equivalent-match project work increases the load capacity of the existing bridge or other mainlane cross-drainage structure or upgrades the structure to its original load capacity with a minimum upgrade to safely carry school bus loading if located on a school bus route.
3. In performing, or causing to be performed, the equivalent-match project (s), the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal environmental regulations and permitting requirements for the structures being improved.
4. The work on the proposed equivalent-match project(s) has not begun and will not begin until the local match fund participation waiver approval process has been completed.
5. The Local Government will be allowed three years after the contract award of the participation-waived project to complete the structural improvement work on the equivalent-match projects(s).
6. Should this waiver request be approved, an appropriate written agreement or amendment to a preciously executed agreement will be executed between the State and Local Government.

The County Judge is authorized to execute the agreement on behalf of the Local Government.

Honorable, Jacques Blanchette, County Judge
County of Tyler