

RESOLUTION NO. 28-2003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO APPROVE A REQUEST FOR WAIVER OF LOCAL MATCH FUNDS FOR A FEDERAL OFF-SYSTEM BRIDGE PROGRAM ADMINISTERED BY THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FAITHON P. LUCAS, SR., BOULEVARD BRIDGE OVER SOUTH MESQUITE CREEK.

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

WHEREAS, the City of Mesquite (the Local Government) owns a bridge located at South Mesquite Creek on Faithon P. Lucas, Sr., Boulevard, National Bridge Inventory (NBI) Structure Number 180570C01767001, Local Designation Number C01767-001; and

WHEREAS, a project to remedy each bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order 108653 dated September 2001 for Control-Section-Job (CSJ) Numbers 0918-45-660; and

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

WHEREAS, Texas Administrative 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 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 approved federal Off-System Bridge project (the Participation-Waived Project) is \$560,000.00, as a participation requirement. The Local Government proposes the match fund participation requirement be waived and in return perform, or cause to be performed, equivalent-match project structural improvement work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City of Mesquite (the Local Government) in return for waiver of the local match fund participation requirement on the approved federal Off-System Bridge program project (the Participation-Waived Project) for Faithon P. Lucas, Sr., Boulevard, National Bridge Inventory (NBI) Structure Number 180570C01767001, Local Designation Number C01767-001 shall perform, or cause to be performed, the following equivalent-match project(s) not yet awarded: Edwards Church Road bridge on North Mesquite Creek (NBI: 18057C0097001, Local Designation Number C00970-001, CSJ: 0918-45-660). Edwards Church Road bridge is currently on a Mesquite Independent School District (MISD) school bus route. The project(s) for Edwards Church Road bridge consist of replacing existing one-lane timber

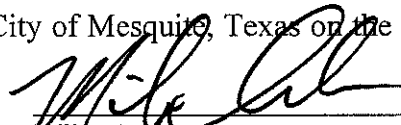
stringer, steel floor-beam, steel truss (bottom chord controls), timber substructure bridge with a four-lane undivided concrete structure bridge (200' x 61') with sidewalks on both sides, HS 20 loading, at an estimated cost of \$560,000.00, such amount being equivalent to the 10 percent Local Government match fund for Faithon P. Lucas, Sr., Boulevard bridge

SECTION 2. 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:


- A. 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.
- B. 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.
- C. 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.
- D. 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.
- E. 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 project(s).
- F. Should this waiver request be approved, an appropriate written agreement or amendment to a previously executed agreement will be executed between the State and Local Government.

SECTION 3. That this resolution shall take effect immediately from and after its passage.


DULY RESOLVED by the City Council of the City of Mesquite, Texas on the 16th day of June, 2003.

  
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Mike Anderson  
Mayor

ATTEST:

  
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Judy Womack  
City Secretary

APPROVED:

  
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B. J. Smith  
City Attorney