

Gary Worley, Precinct #1
Joel Kelton, Precinct #2



Wayne Shaw, Precinct #3
Larry Traweek, Precinct #4

BROWN COUNTY COMMISSIONERS COURT
BROWN COUNTY COURTHOUSE
200 SOUTH BROADWAY, #322
BROWNWOOD, TEXAS 76801-3136
FAX (325)643-1356
(325)6431985

County: Brown
CSJ 0923-06-072
Road/Street CR 121
NBI Str. No. 230250AA0121001
Local Desig. No. CR 121

SUBJECT: Request for Waiver of Local Match Fund
Participation Requirement of Federal
Off-System Bridge Program Project

Mr. Elias H. Rmeili, P.E., District Engineer
TxDOT
2495 Highway 183 North
Brownwood, Texas 76802

Dear Mr. Rmeili:

Under the provisions of Texas Administrative Code, Title 43, Section 15.55(d), this Local Government requests waiver of the local match fund participation requirement on the above Referenced federal off-system bridge program project referred to as the "participation-waived" project. In return for waiver of this participation, it is proposed that our governing body perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures, referred to as "equivalent-match projects", within the jurisdiction of our governing body.

A copy of the appropriate required resolution adopted by our governing body is attached.

Sincerely,

Attachment: Resolution

For TxDOT Use Only

_____ Waiver Approved
_____ Waiver Disapproved

District Engineer

Date

June 15, 2015
(Exhibit #3)

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RESOLUTION

THE STATE OF TEXAS
COUNTY OF BROWN

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 (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, Brown County, hereinafter referred to as the Local Government owns a bridge located at Turkey Creek, on CR 121, National Bridge Inventory (NBI) Structure Number 230250AA0121001; and

WHEREAS, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number 114125 dated November 2014, Control-Section-Job (CSJ) Number 092306072; 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 is **\$39,000.00**, 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 bridge program (participation-waived) project not yet awarded:

| LOCATION(and NBI structure identification number, if applicable) | ON SCHOOL BUS ROUTE? | DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK | ESTIMATED COST |
|--|----------------------|--|----------------|
|--|----------------------|--|----------------|

SEE ATTACHMENT

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 project(s).
6. 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.

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A handwritten signature in black ink that reads "E. Ray West, III".

E. RAY WEST, III
BROWN COUNTY JUDGE

GARY WORLEY
COMMISSIONER, PCT 1

JOEL KELTON
COMMISSIONER, PCT 2

A handwritten signature in black ink that reads "Wayne Shaw".

WAYNE SHAW
COMMISSIONER, PCT 3

A handwritten signature in black ink that reads "Larry Traweek".

LARRY TRAWEEK
COMMISSIONER, PCT 4

**Projects from Pct 4 to
Qualify for Brown County 10% Match
on CR 121 Bridge Repair**

| Location | School Bus Route | Description of Project | Amount of Project |
|-------------------|-------------------------|--|--------------------------|
| Site #1 | Y | CR 176- Replace design 2 (18") horns | \$ 1,290 |
| Site #2 | Y | CR 175- Install erosion control Rock rip rap | \$ 2,364 |
| Site #3(1) | Y | CR 172- Replace 18" tin horn and re-grade ditch to improve hydraulic capacity | \$ 1,290 |
| Site #3(2) | Y | CR 172- Extend 24" tin horn and re-grade ditch to improve hydraulic capacity | \$ 1,365 |
| Site #4 | N | CR 162- Install 18" tin horn | \$ 1,290 |
| Site #5 | N | CR 193-Clean tin horn and re-grade ditch to improve hydraulic capacity | \$ 214 |
| Site #6 | Y | CR 153-Replace 18" tin horn and re-grade ditch to improve hydraulic capacity | \$ 2,710 |
| Site #7 | N | CR 160 –Low water crossing Replace two 18"X30' tin horns and Add Cement 22 CY | \$ 7,344 |
| Site #8 | Y | CR 180 by lake-Add two extensions 18"X12' tin horns Repair road with cold mix base | \$ 5,074 |
| Site #9 | N | CR 131-Low water crossing Install two new tin horns 18"X30' | \$ 1,350 |

| | | | |
|-----------------|---|--|-----------------|
| Site #10 | Y | CR 152-Replace 12"X30' tin horn | \$ 1,140 |
| Site #11 | Y | CR 172- Replace 18"X30' tin horn | \$ 1,290 |
| Site #12 | N | CR 114- Replace 18"X30' tin horn | \$ 1,290 |
| Site #13 | Y | CR 149-Replace 15"X30' tin horn | \$ 1,170 |
| Site #14 | Y | CR 172- Install new 18"X30' tin horn, Add Base 12 loads, and Re-grade ditches to tin horn on both sides | \$12,537 |
| TOTAL | | | \$41,718 |