

COUNTY JUDGE

Fort Bend County, Texas

Robert E. Hebert
County Judge

(281) 341-8608
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June 7, 2011

Mr. Delvin L. Dennis, P.E.
District Engineer
Texas Department of Transportation
P.O. Box 1386
Houston, Texas 77251-1386

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

**County: Fort Bend
Project: BR
Road/Street: Resolution Enclosed
NBI No.: Resolution Enclosed**

Dear Mr. Dennis:

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 projects contained in the attached resolution of the 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 bridge(s) or deficient mainlane cross-drainage structure(s), referred to as "equivalent-match project(s)", within the jurisdiction of our governing body.

A copy of the appropriate required resolution adopted by our governing body is attached. If there are any questions or need for additional information, please call Louis E. Hood, P.E. in our Engineering Department at telephone 281-633-7510.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Hebert", is written over a horizontal line.

Robert E. Hebert
Fort Bend County Judge

Enclosure: Resolution

Copy: File

For TxDOT Use Only

_____ Waiver Approved
_____ Waiver Disapproved _____

Delvin L. Dennis, P. E., District Engineer

RESOLUTION

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

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, Fort Bend County, hereinafter referred to as the Local Government owns bridges located at; and

Location of Bridge	National Bridge Inventory Number (NBI)	Control-Section-Job number (CSJ)
Meyer Road at Snake Creek Tributary	12-080-0-AA0970-002	0912-34-176
Meyer Road at Snake Creek	12-080-0-AA0970-001	0912-34-177

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 112237 dated April 29, 2010; 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 or the jurisdiction of a geographically adjacent or overlapping governmental unit, 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(s) is \$117,249.00 (dollars), hereinafter referred to as the “participation-waived” project(s), such participation requirement the Local Government proposes be waived and in return perform or cause to be performed equivalent-match project structural improvement work.

WHEREAS, the Local Government has determined that the enactment of this resolution serves a public purpose;

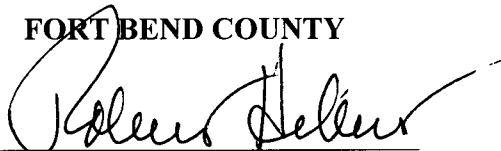
THEREFORE, BE IT RESOLVED that the Local Government perform, or cause to be performed, the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved federal off-system bridge program (participation-waived) project(s) not yet awarded:

BE IT FURTHER RESOLVED, that the Preamble of this resolution is hereby adopted as if fully set forth herein. This resolution shall be in full force and effect upon its passage and approval as provided by law.

Adopted by the Fort Bend County Commissioner's Court this 7 day of June, 2011.

FORT BEND COUNTY

By:



Robert E. Hebert, County Judge

ATTEST:



Dianne Wilson, County Clerk



LOCATION (and NBI structure identification number, if applicable)	ON SCHOOL BUS ROUTE?	DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK	ESTIMATED COST
Knight Road at Brazos River Canal Authority, NBI No. 12-080-0-AA0997-001	Yes	Replace existing wood bridge with new concrete bridge	\$343,559.42

BE IT FURTHER RESOLVED, in accordance with 43 TAC Section 15.55(d) the value of the equivalent-match project(s) is in excess of \$226,310.42 (dollars) and is being made available to the City of Kendleton for their match fund participation-waived project(s) noted below:

LOCATION (and NBI structure identification number, if applicable)	Control-Section-Job number (CSJ)	Amount Received from Equivalent-Match Project
City of Kendleton Braxton Road at Brooks Branch, NBI No. 12-080-0-J00010-001	0912-34-154	\$39,204.00

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 projects 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.