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## County of El Paso Agenda Item Details

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<b>Item Title:</b>	Planning & Development - Amendment 1 to the TxDOT FY2022 Federal Transit Administration (FTA) Section 5311 Project Grant Agreement (PGA)
<b>Submitted By:</b>	Michael McElroy, Director
<b>Department:</b>	Planning and Development
<b>Department Phone Number:</b>	915-273-3330
<b>Subject:</b>	GRANT AMENDMENT – Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT) FY2022 Federal Transit Administration (FTA) Section 5311 Rural Areas Public Transportation Project Grant Agreement (PGA), to extend the grant time period to December 31, 2025. No County match is required. (Contract No. 2024-0607)
<b>Background:</b>	These funds will be used for preliminary engineering, environmental review & design of a new transit facility that will accommodate proposed improvements to the EPCRT services. The County does not own a transit facility and leases a location that lacks amenities for day-to-day operations. The new facility will include office space, a repair shop, CNG fueling system, parking space for transit fleet, and additional infrastructure required for operations. This Amendment will extend the grant time period to December 31, 2025 and allow time to utilize all funding available.
<b>Fiscal Impact:</b>	Fiscal Impact Historical N/A  Fiscal Impact Projected N/A  Long Account Number: Amount:  Long Account Number: Amount:
<b>Budget or Unbudgeted Match:</b>	
<b>Recommendation:</b>	Approve and authorize the County Judge to sign Amendment 1 to the Texas Department of Transportation (TxDOT) FY2022

Federal Transit Administration (FTA) Section 5311 Rural Areas Public Transportation Project Grant Agreement (PGA), to extend the grant time period to December 31, 2025. No County match is required. (Contract No. 2024-0607)

**Prior Action:**

On February 26, 2024; Item 4AK – Commissioners Court approved the Texas Department of Transportation (TxDOT) FY2022 Federal Transit Administration (FTA) Section 5311 Rural Areas Public Transportation Project Grant Agreement (PGA) in the amount of \$1,400,285.

On January 22, 2024; Item 4AI - Commissioners Court approved the Planning & Development Department to apply to the Texas Department of Transportation (TxDOT) FY2022 Federal Transit Administration (FTA) Section 5311 Rural Areas Public Transportation Grant.

**Strategic Plan:**

Goal:

4. Upgrade Infrastructure

Objective:

6.6 Expand the public transit system

**Strategic Plan Information:**

Funding will be used for preliminary engineering, environmental review & design of a new transit facility.

**Estimated Time Needed  
For This Item:**



# AGREEMENT

## 1. Description of Amended Items

This amendment extends the end date shown in ARTICLE 1. GRANT TIME PERIOD of the grant agreement to December 31, 2025.

Attachment B, Project Budget, hereto attached, shall replace the Project Budget page in said agreement.

All other provisions of the original project grant agreement not amended are unchanged and remain in full force and effect. This amendment becomes effective on the later date of full execution by both parties.

## 2. Incorporation of Master Grant Agreement (MGA) Provisions

This amendment incorporates all of the governing provisions of the MGA in effect on the date of final execution of this amendment, unless an exception has been made by the terms of this PGA.

## 3. 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 Subrecipient in duplicate.

**THE SUBRECIPIENT**

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Signature

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Title

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Date

**THE STATE OF TEXAS**

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Signature

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Public Transportation Coordinator

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Title

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Date

**List of Attachments**

A - Approved Project Description

B - Project Budget

## **ATTACHMENT A APPROVED PROJECT DESCRIPTION**

Funding for this project will consist of preliminary engineering, environmental review and design of a new transit facility that will accommodate the constant growth of the County Transit Service. The new facility will include office space, a repair shop, CNG (Compress Natural Gas) fueling system, parking space for transit fleet, and additional infrastructure required for operations.

The transit provider's response to the 2022 Coordinated Call for Projects on project grant agreements RD-2022-EL PASO CO-00034 and RD-2022-EL PASO CO-00034 is hereby incorporated into the project description except as amended in this attachment.

Subrecipient shall comply with Article 13: Project Records and Reports of the Master Grant Agreement requiring procurement and project milestones/ quarterly progress reports. Within 30 days of PGA execution, the subrecipient will provide the TxDOT Public Transportation Coordinator with a project milestone plan that delineates fund expenditures throughout the contract period.

Per Texas Administrative Code (TAC) 31.47, Audit and Project Close-Out Standards: The subrecipient shall make every reasonable effort to complete all project activities and request appropriate reimbursements within the time period specified in the project agreement. This PGA may be suspended or terminated for cause, mutual agreement, or convenience. Upon termination for convenience, the PGA may be cancelled without penalty by either party by providing thirty (30) days written notice to the other party. TxDOT will reimburse the subrecipient for eligible expenses up to the date specified in the notice of cancellation. Upon termination of a subgrant, the unexpended and unobligated funds awarded to the subgrantee immediately revert to the department.

This agreement is subject to the requirements of 49 CFR 26, participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs. A contract specific goal of 2.5% DBE participation has been established for this project. See Article 24 of the Master Grant Agreement for additional DBE requirements related to contract specific goals.

# ATTACHMENT B PROJECT BUDGET

#	Description	Fuel Type	# of Units	Award Amount	State Match	Local Match	In-Kind Match	Total Funds	TDC	Match Ratio	TDC Amount
1	Engineering and Design Admin/Maintenance Facility - 11.41.03			\$1,400,285				\$1,400,285	X	80/20	280,057
<b>Totals:</b>				\$1,400,285	\$0	\$0	\$0	\$1,400,285			280,057



# ATTACHMENT C ACTIVE PGAs

Application PGA Name	FAIN	Federal Funding Amount	Begin Date	End Date
5311-2020-EL PASO CO-00294	TX-2020-045	\$1753210	03-01-2024	12-31-2025
5311-2021-EL PASO CO-00006	TX-2021-063	\$2683902	03-01-2024	12-31-2025
5311-2022-EL PASO CO-00076	TX-2022-051	\$1474000	03-01-2024	12-31-2025
5311-2022-EL PASO CO-00197	TX-2022-051	\$1400285	03-01-2024	12-31-2025
5311-2023-EL PASO CO-00083	TX-2023-108	\$2814669	03-01-2024	12-31-2025



# COMMISSIONERS COURT CONTRACT FORM

## CONTRACT SUMMARY

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**ADDITIONAL BACKGROUND:**

**FISCAL IMPACT:**

**PRIOR COURT ACTION:**

**RECOMMENDATION:**

## BASIC CONTRACT DETAILS

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**CONTRACT NO.:** 2024-0607

**CONTRACT TITLE:** FY22 Federal Transit Administration (FTA) / Federal 5311 / Rural Public Transportation / Grant Agreement 5311-2022-EL PASO CO-00197 / Engineering & Design of Transit Facility / Yr 2024-2025 / Amendment 1 - Extend Grant Time Period

**SECOND PARTY:** State of Texas, Department of Transportation(TxDOT)

**CONTRACT TYPE:** Grant Modification

## TERM AND BUDGET DETAILS

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**TERM:**

**EXTENSION OPTIONS:**

**EFFECTIVE DATE:**

**MOD EFFECTIVE DATE (If Applicable):**

**EXPIRATION DATE:**

**MOD EXPIRATION DATE (If Applicable):**

**EXTENSION DEADLINE DATE (If Applicable):**

**AMOUNT:**

**MOD AMOUNT (If Applicable):**

## APPROVALS

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COUNTY ATTORNEY APPROVAL

The attached document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

COUNTY ATTORNEY: Steven Arellano

LEGAL REVIEW: Approved as to Form as Submitted

LEGAL REVIEW NOTES (If Applicable):

DATE: 8/5/2024

DIRECTOR/DEPARTMENT HEAD APPROVAL

The undersigned hereby certifies that he/she has read the contract, understands and approves the contract terms and conditions and further certifies that the contract conforms to the bid specification, if any, and acknowledges that he/she is responsible for administering all terms and conditions.

DIRECTOR/DEPARTMENT HEAD/DESIGNEE:

DEPARTMENT CONTACT: Reyna Mayorga

DEPARTMENT: Planning & Development

DATE: