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**County of El Paso
Agenda Item Details**

Item Title:	Planning and Development- CRRMA / Vehicle Registration Fee (VRF) Project Development Agreement / Berryville-Darrington Project / Amendment 7 (2024-0574)
Submitted By:	Michael McElroy, Director
Department:	Planning and Development
Department Phone Number:	915-273-3330
Subject:	<p>Approve and authorize the County Judge to sign the Seventh Amendment to the Interlocal Agreement VRF Project Development Agreement for the Darrington Roadway Improvement Project with the Camino Real Regional Mobility Authority (CRRMA). This amendment will allow the CRRMA to provide engineering and administration services for the right-of-way acquisition of the required parcels for the project. Funding in the amount of \$228,000 will be used from Vehicle Registration Fee proceeds administered by the CRRMA. No County funds are required. (Contract No. 2024-0574) (Precinct 3)</p>
Background:	<p>The widening of Darrington Road will take place at the tail end of the Pellicano Drive roadway improvements to minimize traffic disruption for the area. The project is part of the 2013 County Comprehensive Mobility Plan. This project consists of widening the existing 2-lane roadway to a 6-lane divided arterial that will include sidewalks, 5-bike lanes, illumination, drainage infrastructure and landscaping. The amendment will allow the CRRMA to provide engineering and administration services for the Right-of-Way acquisition of the required parcels for the project. Currently plans are completed. Construction phase is to follow after completion of the land acquisition.</p>
Fiscal Impact:	<p>Fiscal Impact Historical Fiscal Impact: \$228,000 in VRF funds administered by CRRMA. No impact to County General fund.</p> <p>Fiscal Impact Projected Fiscal Impact: \$359,768.42 in VRF funds administered by CRRMA. No impact to County General fund.</p>

Long Account Number: Amount: N/A

Long Account Number: Amount: \$359,768.42

Budget or Unbudgeted Match:

Recommendation:

Approve and authorize the County Judge to sign the Seventh Amendment to the Interlocal Agreement VRF Project Development Agreement for the Darrington Roadway Improvement Project with the Camino Real Regional Mobility Authority (CRRMA). This amendment will allow the CRRMA to provide engineering and administration services for the right-of-way acquisition of the required parcels for the project. Funding in the amount of \$228,000 will be used from Vehicle Registration Fee proceeds administered by the CRRMA. No County funds are required. (Contract No. 2024-0574) (Precinct 3)

Prior Action:

On December 11, 2023, Item 4-O. Approve and authorize the County Judge to sign the Sixth Amendment to the Interlocal Agreement for the Berryville-Darrington Project Development Project with the Camino Real Regional Mobility Authority (CRRMA). This amendment will allow the CRRMA to provide engineering and administration services for the Right-of-Way acquisition of the required parcels for the project. Funding in the amount of \$131,768.42 will be used from Vehicle Registration Fee proceeds. County Vehicle Registration Fee (VRF) proceeds are in SRTRANSPFEE-RGNL MOBLTY AUTHO. No County funds are required. (Contract No. 2023-0954) (Precinct 3)

On August 1, 2022, the Court authorized the County Judge to sign the fifth amendment to the project development agreement with the Camino Real Regional Mobility Authority for the Darrington Widening project engineering services in the amount of \$105,000 for engineering service, and an additional \$395,000 for construction. (Contract 2022-0502)

On June 15, 2020, (Item 4Q), the court authorized the County Judge to sign the fourth amendment to the project development agreement with the Camino Real Regional Mobility Authority for the Darrington Widening project engineering services. No County funds were required as \$63,510.70 in funds were available from the Camino Real Regional Mobility Authority Vehicle-Registration Fee Bond Issuance. (Contract No. 2020-0387).

On June 4, 2018, (Item 19), Court approved the third Amendment to the Interlocal Agreement VRF Project Development Agreement for the Darrington Roadway Improvement Project in order to increase the budget for additional engineering services for the design of the project. (Contract No. 2018-0288)

On July 31, 2017, (Item 17), Court approved the Second Amendment to the Interlocal Agreement VRF Project Development Agreement for the Darrington Roadway Improvement Project in order to increase the budget for survey and drainage work. (Contract No. 2017-0488)

On December 12, 2016, (Item 9), Court authorized the County Judge to execute a Resolution and the First Amendment to the Interlocal Agreement to the VRF Project Development Agreement for Darrington Roadway Improvement Project. (Contract No. 2016-0885)

On February 22, 2016, (Item 3-K), Court approved the resolution authorizing the Interlocal Agreement for Design Services - VRF Project Development Agreement for the Darrington Roadway Improvement Project. (Contract No. 2015-0716)

Strategic Plan:

Goal:

null

Objective:

Strategic Plan Information:

**Estimated Time Needed
For This Item:**

**SEVENTH AMENDMENT TO THE INTERLOCAL AGREEMENT
VRF PROJECT DEVELOPMENT AGREEMENT FOR THE
DARRINGTON ROADWAY IMPROVEMENT PROJECT**

THIS SEVENTH AMENDMENT TO THE INTERLOCAL AGREEMENT (the “Amendment”) is made and entered into effective as of the ____ day of _____, 2024, by and between EL PASO COUNTY, TEXAS (the “County”) and the CAMINO REAL REGIONAL MOBILITY AUTHORITY (“Authority”), (collectively, the “Parties”), for the purposes described herein.

WITNESSETH:

WHEREAS, the County has entered into an Interlocal Agreement dated December 16, 2013, and a Transportation Project and Pledge Agreement dated April 9, 2014 with the Authority wherein the County has agreed to transfer all Special Vehicle Registration Fees to the Authority and the Authority has agreed to use those funds, and such other funds which may be designated by the County from time to time, to finance and pay for the construction of certain County designated transportation projects within El Paso County and that certain transportation project described as Darrington Roadway Improvement Project (the “Project”); and

WHEREAS, the Project is located in El Paso County which is within or adjacent to the Authority’s area of jurisdiction; and

WHEREAS, the County and CRRMA entered into an Interlocal Agreement – VRF Project Development Agreement for the Darrington Roadway Improvement Project dated February 22, 2016 (the “Interlocal Agreement”) related to the development of the Project, and the Parties have subsequently amended the Interlocal Agreement six times to add scope and funding for various additional design and construction activities requested by the County from time to time; and

WHEREAS, the County and CRRMA now desire to further amend the Interlocal Agreement for the Authority to provide certain right of way acquisition activities for the Project.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the undersigned Parties agree as follows:

1. Replacement of EXHIBIT B-1. The Parties hereby agree to delete **EXHIBIT B-1** from the Interlocal Agreement, as amended, in its entirety and replace it with **EXHIBIT B-2**, which is attached hereto.

2. Replacement of EXHIBIT C-6. The parties hereby agree to delete **EXHIBIT C-6** from the Interlocal Agreement, as amended, in its entirety and replace it with **EXHIBIT C-7**, which is attached hereto.

3. Ratification. Except as expressly amended by this Amendment, the Interlocal Agreement, as amended, and its exhibits shall remain in full force and effect.

4. Execution in Counterparts. This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

IN WITNESS WHEREOF, the Parties have executed and attested this Amendment by their officers thereunto duly authorized.

EL PASO COUNTY, TEXAS

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

By: _____
Ricardo A. Samaniego
County Judge

By: _____
Joyce A. Wilson
Chair

ATTEST:

By: _____
Monica L. Perez
Board Secretary

EXHIBIT B-2

DARRINGTON ROADWAY IMPROVEMENTS PROJECT PARTY RESPONSIBILITIES

- 1. PLANNING: County**
- 2. DESIGN: Authority, through a design firm**
- 3. ENVIRONMENTAL PERMITTING: NOT APPLICABLE**
- 4. RIGHT-OF-WAY ACQUISITION: Authority, through a consultant firm**
- 5. CONSTRUCTION LETTING: Not applicable at this time**
- 6. CONSTRUCTION: Not applicable at this time**
- 7. FINANCIAL OBLIGATIONS: CRRMA Senior Lien VRF Bonds, Series 2014**
- 8. REPORTING: Authority**
- 9. PERFORMANCE STANDARDS: County**
- 10. MARKETING AND PUBLIC OUTREACH: None**
- 11. UTILITY RELOCATION: TO BE DETERMINED**

EXHIBIT C-7

DARRINGTON ROADWAY IMPROVEMENTS PROJECT ESTIMATED PROJECT BUDGET

DESCRIPTION	TOTAL ESTIMATED COST	CRRMA PAYS WITH VRF BONDS*	CRRMA PAYS WITH OTHER FUNDS
ROW	\$359,768.42	\$359,768.42	\$0.00
UTILITY RELOCATION	\$0.00	\$0.00	\$0.00
RAILROAD PERMIT & SERVICES	\$0.00	\$0.00	\$0.00
ENGINEERING	\$1,230,692.69	\$1,125,692.69	\$105,000.00
CONSTRUCTION	\$5,395,000.00	\$5,000,000.00	\$395,000.00
MISCELLANEOUS	\$0.00	\$0.00	\$0.00
TOTAL	\$ 6,985,461.11	\$6,485,461.11	\$500,000.00

NOTES: The authority granted herein by the County for the CRRMA's use of VRF Bonds* anticipates the use of 2014 bond proceeds. However, the CRRMA is also permitted to utilize proceeds generated through an additional VRF bond issuance completed in 2017. Further, the CRRMA is permitted to move funds among line items noted above, after consultation with and approval from the County. The categories identified above are inclusive of design and administrative costs; provided, however, that Authority administrative costs shall not exceed 3% of the total project cost.