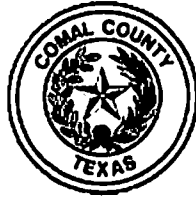


RESOLUTION 2018-15



STATE OF TEXAS § IN THE COMMISSIONERS COURT  
COUNTY OF COMAL §

**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**, Comal County, hereinafter referred to as the Local Government owns a bridge located on North Solms Road, National Bridge Inventory (NBI) Structure Number 15-046-0AA80-10-001, Local Designation Number 046-0AA80-10-001; 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 115112 dated December 14, 2017, Control-Section-Job (CSJ) Number 0915-17-067; 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 **\$48,195**, 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
Weiss Rd @ Water Hole	No	Install/Upgrade pipe culverts (3-30" pipes, 2-24" pipes)	\$75,000.00

**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 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.

**PASSED AND ADOPTED** by Comal County Commissioners' Court in New Braunfels, Texas on this the 3<sup>rd</sup> day of May, 2018.

Absent  
Sherman Krause, County Judge

Donna Eccleston  
Donna Eccleston  
Commissioner Precinct 1

Kevin Webb  
Kevin Webb  
Commissioner Precinct 3

Scott Haag  
Scott Haag  
Commissioner Precinct 2

Jen Crownover  
Jen Crownover  
Commissioner Precinct 4

Bobbie Koepp  
Attest: Bobbie Koepp  
Comal County Clerk

