

<b>TxDOT:</b>				<b>Federal Highway Administration:</b>	
<b>CCSJ #</b>	<b>0912-31-305</b>	<b>AFA ID</b>	<b>Z00002266</b>	<b>CFDA No.</b>	<b>20.205</b>
<b>AFA CSJs</b>	<b>0912-31-305</b>			<b>CFDA Title</b>	<b>Highway Planning and Construction</b>
<b>District #</b>	<b>12</b>	<b>Code Chart 64#</b>	<b>50020</b>		
<b>Project Name</b>	<b>CR 59 from CR 48 to Kirby Dr</b>			<b>AFA Not Used For Research &amp; Development</b>	

THE STATE OF TEXAS           §

THE COUNTY OF TRAVIS       §

**ADVANCE FUNDING AGREEMENT  
AMENDMENT #2**

**THIS AMENDMENT** is made by and between the State of Texas, acting through the Texas Department of Transportation, called the “State”, and Brazoria County, acting by and through its duly authorized officials, called the “Local Government”. The State and Local Government shall be collectively referred to as “the parties” hereinafter.

**WITNESSETH**

**WHEREAS**, the parties executed a contract on December 1, 2021 to effectuate their agreement to reconstruct and widen CR 59 from CR 48 to Kirby Dr.; and,

**WHEREAS**, the parties executed Amendment #1 to the contract on April 14, 2023 to include additional federal funds approved by the Transportation Policy Council (TPC) on November 21, 2022 for construction of this project due to inflation of material and labor costs; and,

**WHEREAS**, it has become necessary to amend that contract to include additional federal funds approved by the Transportation Policy Council (TPC) on June 28, 2024 for construction of this project due to inflation of costs;

**NOW THEREFORE**, in consideration of the premises and of the mutual covenants and agreements of the parties, the parties do agree as follows:

**AGREEMENT**

- Attachment C-1, PROJECT BUDGET, is deleted in its entirety and replaced with Attachment C-2, PROJECT BUDGET, which is attached to and made a part of this Amendment. The total estimated cost of the Project increased by \$ 1,642,837, from \$ 14,047,369 to \$ 15,690,206, due to additionally awarded Surface Transportation Block Grant funding approved by the Transportation Policy Council to cover increased construction costs due to inflation.

All other provisions of the original contract are unchanged and remain in full force and effect.

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<b>District #</b>	<b>12</b>	<b>Code Chart 64#</b>	<b>50020</b>		
<b>Project Name</b>	<b>CR 59 from CR 48 to Kirby Dr</b>			<b>AFA Not Used For Research &amp; Development</b>	

**Signatory Warranty**

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this Agreement on the date stated under that party's signature.

**THE STATE OF TEXAS**

**THE LOCAL GOVERNMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

Matt Sebesta, Jr.

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Typed or Printed Name

Brazoria County Judge

\_\_\_\_\_  
Typed or Printed Title

\_\_\_\_\_  
Typed or Printed Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

In Process

<b>TxDOT:</b>				<b>Federal Highway Administration:</b>	
<b>CSJ #</b>	0912-31-305			<b>CFDA No.</b>	20.205
<b>District #</b>	12-HOU	<b>AFA ID</b>	Z00002266	<b>CFDA Title</b>	Highway Planning and Construction
<b>Code Chart 64 #</b>	50020 – Brazoria County				
<b>Project Name</b>	CR 59 from CR 48 to Kirby Dr				<i>AFA Not Used For Research &amp; Development</i>

### ATTACHMENT C-2 PROJECT BUDGET

Except for Indirect State Costs, all other costs will be allocated based on 80% federal funding and 20% Local Government funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

Description	Total Estimated Cost	Federal Participation Cost		State Participation Cost		Local Participation Cost	
Construction (by Local Government)	\$ 15,543,584	80%	\$ 12,434,867	0%	\$ -	20%	\$ 3,108,717
<b>Subtotal</b>	\$ 15,543,584		\$ 12,434,867		\$ -		\$ 3,108,717
Construction Direct State Costs	\$ 140,000	80%	\$ 112,000	0%	\$ -	20%	\$ 28,000
Indirect State Costs	\$ 6,622	0%	\$ -	100%	\$ 6,622	0%	\$ -
<b>TOTAL</b>	\$ 15,690,206		\$ 12,546,867		\$ 6,622		\$ 3,136,717

Initial payment by the Local Government to the State: \$0  
 Payment by the Local Government to the State before construction: \$28,000  
 Estimated total payment by the Local Government to the State: \$28,000  
 This is an estimate. The final amount of Local Government participation will be based on actual costs.

**Certificate Of Completion**

Envelope Id: BFB44C47FE6C4F0CBB76CD13C1F39916	Status: Sent
Subject: Please DocuSign: Z00002266 – 0912-31-305 – AFA Amendment #2 - with Brazoria County	
Source Envelope:	
Document Pages: 6	Signatures: 0
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Laura Gamboa
Time Zone: (UTC-06:00) Central Time (US & Canada)	125 E. 11th Street
	Austin, TX 78701
	laura.gamboa@txdot.gov
	IP Address: 209.112.106.2

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Status: Original	Holder: Laura Gamboa	Location: DocuSign
11/5/2024 3:15:12 PM	laura.gamboa@txdot.gov	
Security Appliance Status: Connected	Pool: StateLocal	
Storage Appliance Status: Connected	Pool: Texas Department of Transportation	Location: DocuSign

**Signer Events**

Signature	Timestamp
Matt Sebesta, Jr.	Sent: 11/5/2024 3:19:59 PM
MattS@brazoriacountytx.gov	Viewed: 11/6/2024 2:42:05 PM
Brazoria County Judge	

Security Level: Email, Account Authentication (Optional)

**Electronic Record and Signature Disclosure:**  
 Accepted: 11/6/2024 2:42:05 PM  
 ID: db2ab684-95c7-41d0-bd19-0111808a6531

Tim Juro  
 Tim.Juro@txdot.gov  
 Security Level: Email, Account Authentication (Optional)

**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

**In Person Signer Events**

Signature	Timestamp
<b>Editor Delivery Events</b>	<b>Status</b>
<b>Agent Delivery Events</b>	<b>Status</b>
<b>Intermediary Delivery Events</b>	<b>Status</b>
<b>Certified Delivery Events</b>	<b>Status</b>

**Carbon Copy Events**

Status	Timestamp
Cynthia Rodriguez	Sent: 11/5/2024 3:19:58 PM
Cynthia.Rodriguez@txdot.gov	Viewed: 11/5/2024 3:20:48 PM
Security Level: Email, Account Authentication (Optional)	

**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

Lacey Powell  
 LaceyP@brazoriacountytx.gov  
 Security Level: Email, Account Authentication (Optional)

**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

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<b>Witness Events</b>	<b>Signature</b>	<b>Timestamp</b>
<b>Notary Events</b>	<b>Signature</b>	<b>Timestamp</b>
<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Envelope Sent	Hashed/Encrypted	11/5/2024 3:19:58 PM
<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
<b>Electronic Record and Signature Disclosure</b>		

In Process

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

### **How to contact Texas Department of Transportation:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [kevin.setoda@txdot.gov](mailto:kevin.setoda@txdot.gov)

### **To advise Texas Department of Transportation of your new e-mail address**

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at [kevin.setoda@txdot.gov](mailto:kevin.setoda@txdot.gov) and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to [kevin.setoda@txdot.gov](mailto:kevin.setoda@txdot.gov) and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

### **To withdraw your consent with Texas Department of Transportation**

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to [kevin.setoda@txdot.gov](mailto:kevin.setoda@txdot.gov) and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"><li>• Allow per session cookies</li></ul>

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>• Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li></ul> |
|--|---|

\*\* These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

**Acknowledging your access and consent to receive materials electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Texas Department of Transportation as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Texas Department of Transportation during the course of my relationship with you.