

RESOLUTION

The State of Texas
County of **Polk**

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, **Polk County**, hereinafter referred to as the Local Government owns bridges:

Located at **Old Bering Road at Long King Creek**, National Bridge Inventory (NBI) Structure Number **11-187-0-AA01-91-003** State Control-Section-Job (CSJ) Number **0911-04-098**; 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 **116292**. Dated **August 30, 2022**; 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 **\$32,790.00** (dollars), 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.

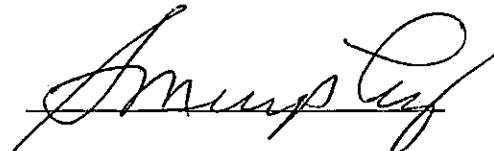
THEREFORE, BE IT RESOLVED that the Local Government perform or cause to be performed the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved federal off-system bridge program (participation-waived) project not yet awarded:

LOCATION (and NBI structure identification number, if applicable)	ON SCHOOL BUS ROUTE?	DESCRIPTION OF STRUCTURAL IMPROVEMENT WORK	ESTIMATED COST
Carthage	Yes	Replace 48"x30' culvert	\$15,260.00
Laurelia Loop	Yes	Replace 48"x30' culvert	\$16,940.00
Oats Cemetery Rd	No	Replace 18"x30' culvert	\$8,440.00
Red Hollow at Upper Leggett	No	Replace 15"x30' culvert	\$7,655.00

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, the Local Government approves the execution of an Advance Funding Agreement with the State for the participation-waived project or amendment to a previous Advance Funding Agreement executed between the State and Local Government. The County Judge is authorized to execute the agreement on behalf of the Local Government.

Approved this the 27 day of December, 2022.

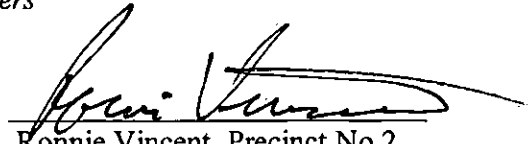


Sydney Murphy, Polk County Judge


County Commissioners



Gylene Robertson, Precinct No. 1



Ronnie Vincent, Precinct No.2



Milt Purvis, Precinct No. 3



C.T. Tommy Overstreet, Precinct No.4



Texas Department of Transportation

1805 N. TIMBERLAND DR., LUFKIN, TEXAS 75901 | 936.634.4433 | WWW.TXDOT.GOV

December 12, 2022

The Honorable Sydney Murphy
Polk County Judge
101 West Church Street
Livingston, TX 77351

Re: Road Closure Request for:
Bering Road at Long King Creek
Polk County, CSJ: 0911-04-098

Dear Judge Murphy,

The Texas Department of Transportation is preparing plans to replace the existing bridge on Bering Road at Long King Creek (NBI # 111870AA0191003). This project is scheduled to let to contract in January of 2026 with construction beginning in the weeks following.

At this time, the bridge remains in operation. TxDOT plans to close this bridge to all traffic for approximately four months while the new bridge is built to eliminate the need to construct an expensive temporary detour and to minimize right-of-way acquisition.

Please indicate your concurrence, or non-concurrence with an explanation, and return this letter. The bridge location is shown on the attached map. Your assistance in this matter is greatly appreciated. You can reach me at 936-633-4317 or by email at mitchell.randall@txdot.gov if you have any questions about this project.

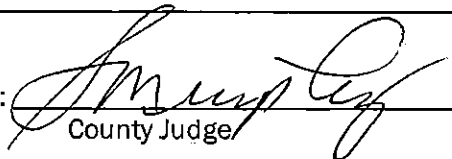
Sincerely,

Mitchell L. Randall, P.E.
Lufkin District Bridge Engineer

I concur with the road closure

I do not concur with the road closure due to the following:

Signature:

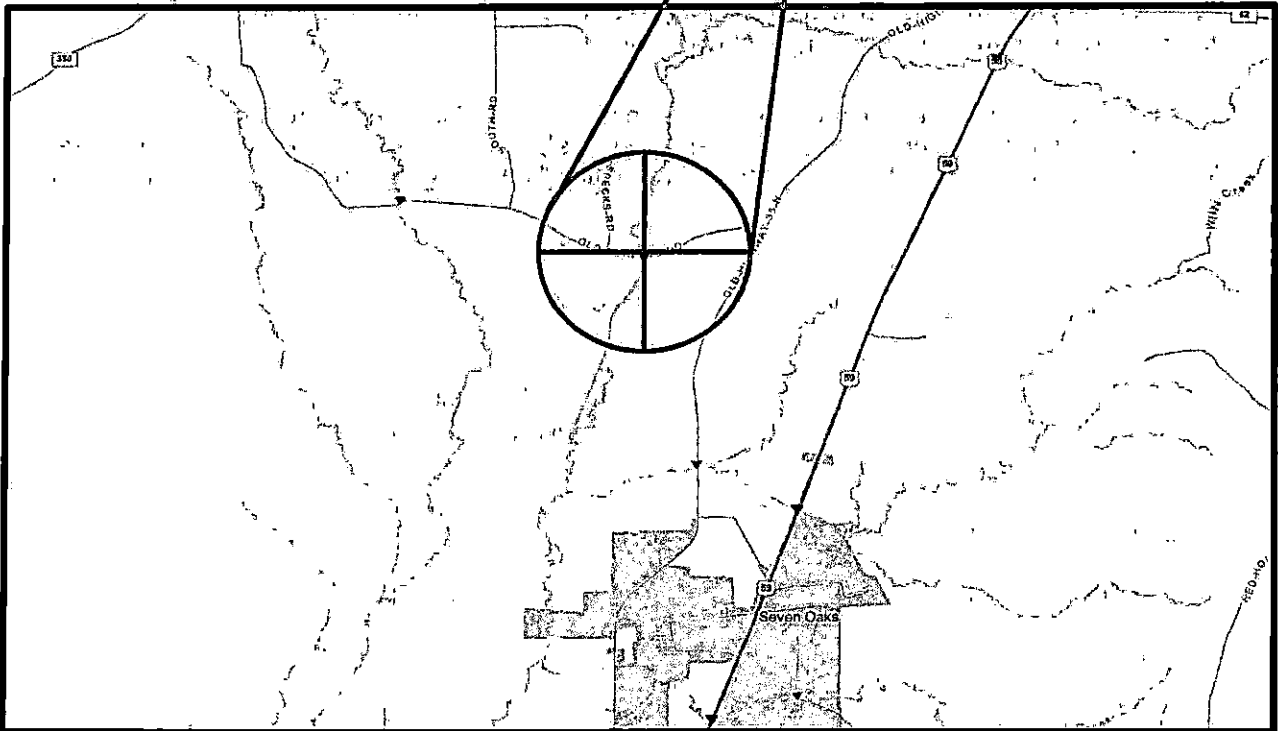
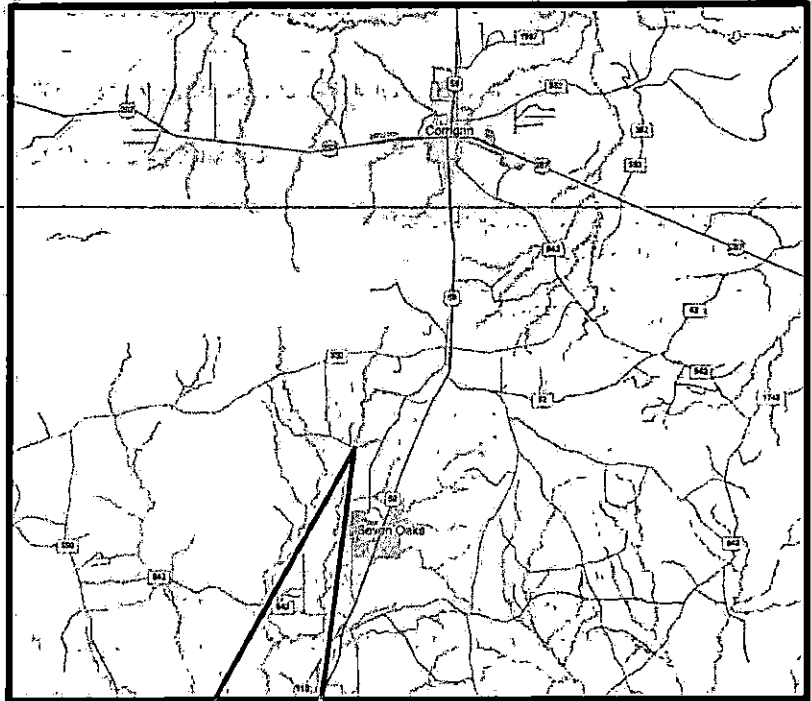
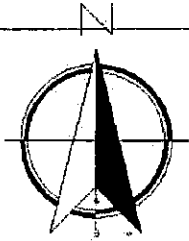

County Judge

Date: December 27, 2022

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Connecting You With Texas

An Equal Opportunity Employer



Bering Road at Long King Creek

11-187-0-AA01-91-003

CSJ:0911-04-098

3.3 MI SE of FM 350

GPS: 30.88381792, -94.86562252

Polk County

TXDOT LUFKIN DISTRICT

Disclaimer

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