

**FY2023 AGREEMENT FOR AWARD OF TRANSPORTATION DEVELOPMENT CREDITS
BETWEEN
THE REGIONAL TRANSPORTATION COUNCIL
AND
CITY OF PLANO**

This Agreement is entered into by and between the Regional Transportation Council (RTC), acting in its capacity as policy body for the Metropolitan Planning Organization (MPO), and the City of Plano. The purpose of this Agreement is to outline the roles and responsibilities of each party with respect to Transportation Development Credits (TDCs) awarded for the projects outlined in Attachment 1.

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is designated as the MPO for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the RTC, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions; and,

WHEREAS, 23 U.S.C. §120 permits a state to use certain toll revenue expenditures, TDCs, formerly called toll credits, as a credit toward the non-Federal share of all programs authorized by Title 23, with the exception of emergency relief programs, and for transit programs authorized by Title 49, Chapter 53; and,

WHEREAS, 43 Tex. Admin. Code §5.106 authorizes an MPO to award TDCs allocated to it by the State and 43 Tex. Admin. Code §5.110 requires an agreement be entered into between the MPO and entity awarded TDCs prior to and in order for those credits to be used; and,

WHEREAS, the RTC awarded a total of 1,035,000 TDCs to the City of Plano for the project listed in Attachment 1; and,

WHEREAS, the City of Plano desires to use the TDCs awarded to it in lieu of the required local cash match for the federally funded transportation project described in Attachment 1; and,

NOW, THEREFORE, in consideration of these premises and of the mutual covenants contained herein, NCTCOG and the City of Plano agree as follows:

AGREEMENT

1. The RTC has awarded 1,035,000 TDCs to the City of Plano for use as described herein.
2. The City of Plano agrees to utilize the TDCs for the projects identified and described herein as match to certain federal grant funds totaling approximately \$5,175,000.
3. Any unused TDCs shall be reallocated to other projects as solely determined by the RTC.
4. The City of Plano will be required to execute a separate funding agreement with a party other than the RTC and/or NCTCOG for the federal grant funds referenced above.
5. Neither Party may assign this Agreement in whole or in part, without first obtaining the written consent of the other Party.

**TRANSPORTATION DEVELOPMENT CREDIT (TDC) FY2023 AGREEMENT
PROJECT LIST
CITY OF PLANO**

ATTACHMENT 1

TIP CODE	CSJ	PROJECT DESCRIPTION	FEDERAL FUNDING AMOUNT	TDC AMOUNT	AWARD DATE
25109	0918-24-301	ON SH 121 FR FROM SPRING CREEK TO CUSTER, US 75 FR FROM PLANO PKWY TO LEGACY DR, COIT ROAD AT SPRING CREEK PKWY, PGBT FR FROM PRESTON RD TO ALMA DR, DALLAS PKWY FROM PLANO PKWY TO HEADQUARTERS DR, AND PRESTON ROAD AT LEGACY DR; CONSTRUCT INTERSECTION IMPROVEMENTS, INCLUDING RIGHT AND LEFT TURN LANES, TRAFFIC SIGNAL IMPROVEMENTS, SIDEWALKS, ADA RAMPS, CROSSWALKS, PEDESTRIAN SIGNALS, PAVEMENT MARKINGS, AND SIGNAGE IMPROVEMENTS AT DIAMOND INTERSECTIONS TO ENHANCE SAFETY	\$5,175,000	1,035,000	JULY 13, 2023
TOTAL AWARDED			\$5,175,000	1,035,000	