



# MEMORANDUM

**TO:** All District Engineers  
and All District Maintenance Engineers

**DATE:** October 6, 2009

**FROM:** Toribio Garza, Jr., P.E.

**SUBJECT:** Local Government Assistance Program

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This memorandum addresses the implementation of the Local Government Assistance Program defined under the rules **TAC Title 43, Part 1, Chapter 29, Subchapter A, Rule § 29.3** ([43TAC § 29.3](#)), and the new Rider 27 to the appropriation bill, House Bill number 1, passed by the Texas Legislature during the last Legislative session.

## Local Government Assistance Program

The rules for this program ([43TAC § 29.3](#)) were established based on [Transportation Code §201.706](#), Local Government Assistance in 1997. The rule requires the Department to give materials to the counties to assist in repairing and maintaining county roads damaged by the impact of the 2060 Weight Tolerance permits. This legislation requires that at least \$6,000,000 worth of materials be given each year to counties in the state. The allocation to the 254 counties is to be satisfied with surplus materials rather than new material purchases. Material may be purchased only if no surplus material is available or if the haul distance is too far.

In compliance with the stated rules, I have attached the Fiscal Year 2010 District allocations for the County Assistance Program.

## Program Allocation Method

- 65% of the allocations are determined based on a county's percent of statewide Weight Tolerance permits.
- 20% of the allocations are determined based on the county's percent of the statewide county road vehicle miles.
- 15% of the allocations are determined based on the county's percent of the statewide lane miles of county roads.

## District Responsibility

- Notify each county within your district of the assistance available to them.
- Inform the counties to provide a written request for materials.
- Furnish available surplus material to counties when requested.
- Purchase material and furnish to the counties if surplus material is not available.
- Account for the value of the materials issued to each county.

## **Rider 27. Local Government Assistance.**

The Department of Transportation, pursuant to [Texas Transportation Code §201.706](#) may use funds appropriated by this act to assist cities with the maintenance of city streets by providing engineering/maintenance expertise on roadway maintenance and when surplus materials are available, the department shall make available the surplus materials to any local government needing such materials.

For those cities that adopt or have adopted either a street use fee for maintenance or a specialized fee for street accessibility improvements as part of their local utility fees, the Department is authorized to coordinate its accessibility programs with those cities including providing engineering expertise where possible.

### **Material Prices**

1) Surplus Materials: Materials should be priced at what the district determines to be fair market value. Costs of stockpiling, hauling and administrative overhead should be added to the material prices for accounting purposes.

2) Purchased Materials (County Assistance Program Only): As with previous years, materials that are purchased for this program should be priced at TxDOT's costs including any hauling and administrative overhead.

### **Charges**

Again, as with previous years, the Finance Division has established charge numbers to track these programs. These numbers are:

Segment 72, "COUNTY-A", Function 110 - Materials Provided to Counties. All materials provided to counties in FYs 2010-2011, based on [43TAC § 29.3](#), Local Government Assistance Program. We wish to emphasize the importance of placing a record of the material into MSMS and issuing it out of MSMS to the county. It is mandatory that the county number be inserted when the material is issued.

Segment 72, "RIDER27-M", Function 110 - Materials Provided to Cities for Rider 27. All materials provided to the cities as a result of Rider 27, Local Government Assistance, in the Appropriation Bill (HB 1) for FYs 2010-2011.

Segment 72, "RIDER27-E", Function 110 - Engineering/Maintenance Expertise to Cities for Rider 27. All costs associated with providing engineering/maintenance assistance to cities as a result of Rider 27, Local Government Assistance in the Appropriation bill (HB 1) for FYs 2010-2011.

For questions concerning these programs please contact Justin E. Obinna, P.E. at 512-416-3108 or Larry J. Buttler, P.E. at 512-416-3240. Questions concerning the charge numbers may be directed to Glen Knipstein in FIN at 512-486-5314.

Attachment