

**Texas Department of Transportation**  
**BOOK 2 – TECHNICAL PROVISIONS**  
**FOR**  
**LOOP 375 - BORDER HIGHWAY WEST EXTENSION**  
**PROJECT**  
**Design-Build Project**

**ATTACHMENT 5-3**  
**AGREEMENT FOR CONSTRUCTION, MAINTENANCE AND**  
**OPERATION OF TRAFFIC CONTROL SYSTEM ON**  
**CONTROLLED ACCESS HIGHWAYS IN EL PASO**

**August 22, 2014**

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AGREEMENT FOR CONSTRUCTION, MAINTENANCE  
AND OPERATION OF TRAFFIC CONTROL SYSTEM ON  
CONTROLLED ACCESS HIGHWAYS IN EL PASO

STATE OF TEXAS     )  
                                  )  
COUNTY OF EL PASO )

This agreement made this 12th day of November 1970,  
by and between the State of Texas, hereinafter referred to as the "State",  
party of the first part, and the City of El Paso, El Paso County, Texas  
acting by and through its duly authorized officers under a resolution  
passed the 15th day of November 1970, hereinafter  
called the "City", party of the second part.

W I T N E S S E T H

WHEREAS, the City has requested the State to contribute financial  
aid in the construction, maintenance and operation of the traffic control  
system on all controlled access highways in the Incorporated City Limits  
of El Paso as shown on Exhibit 1, hereinafter referred to as the "Traffic  
Control System", and

WHEREAS, the State Highway Engineer, acting for and in behalf of the  
State Highway Commission, has made it known to the City that the State  
will construct said traffic control system, conditioned that the City,  
as provided for in Highway Commission Minute No. 36362, will maintain  
and operate said traffic control system.

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A G R E E M E N T

NOW, therefore, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereinafter set forth, it is agreed as follows:

1. The State will furnish the necessary funds for the actual construction, prepare plans and specifications, install said highway traffic signal(s), and supervise construction.

2. The City hereby consents to the construction of the highway traffic signals on the highways listed on Exhibit 1. Locations of all existing signals are attached hereto and marked Exhibit 2.

TRAFFIC CONTROL DEVICES

Highway traffic signal installations on frontage streets and interchanges of controlled access highways will be constructed by the State at its expense, subject to the condition that each signal installation shall meet the required warrants based on a traffic and engineering study. The City will pay for the cost of power for operating the signals and will operate and maintain the signals at its sole expense. The City will obtain the written approval of the State Highway Engineer before making any change in the design of operation of the signals, or before removing any part of a signal installation. Any and all parts of any State installed signal which might be removed shall remain the property of the State, and shall be returned to the State unless such part or parts are installed on any route of the State Highway System within the City at a location approved by the State. Any new part installed by the City, either as a replacement for or supplement to a State installed

AGREEMENT (TRAFFIC SIGNAL - EXPRESSWAY TYPE E-1A DISTRICT 24)

signal, shall remain the property of the City and shall be returned to the City upon its removal.

It is understood that the installation of future highway traffic signals on frontage streets and interchanges of controlled access highways will be made by the State at its expense, subject to the condition that each signal installation shall meet the required warrants based on by a traffic and engineering study; and subject to approval of plans and specifications by the City for each signal installation. Maintenance, operation and electric energy furnished for each signal installation will be the responsibility of the City, subject to the terms of this agreement.

The City's approval will be indicated by signature of the Mayor on the Plan Title Sheet for such installation. Installations made a part of this agreement shall contain on the Title Sheet the following statement:

"The City hereby consents to the construction of Highway Traffic Signals as to location and construction as indicated on these plans, said installation being a part of Agreement (Traffic Signal - Expressway Type E-1A District 24) dated November 12, 1970".

The City will assume maintenance and operation on a date to correspond with the date construction of the traffic signal installations are completed and approved in writing by both the City and the State. If the traffic signals are constructed by sections or individually, this provision shall apply to each such separately constructed section or unit.

The City will not install or maintain or permit the installation or maintenance of any type of traffic control device which will affect or

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influence the utility of the project without the prior written approval of the State. Traffic control devices, other than traffic signals, installed prior to the date of this agreement, and which will affect or influence the utility of the project, are hereby made subject to the terms of this agreement, and the City agrees to the removal of all such devices unless their continued use in place is approved in writing by the State.

The City will be responsible for the police enforcement required for securing obedience to the Highway Traffic signals.

In the event the terms of this Agreement are in conflict with the provisions of any other existing agreement and/or contracts between the City and the State, this Agreement shall take precedence over the other agreements and or contracts.

The State will construct and maintain all longitudinal center line, lane line, and non-passing barrier stripes. Supplemental markings, crosswalks, words and symbols will be placed and maintained by the City after approval by the State.

This agreement replaces existing agreements covering highway traffic signals prepared for individual routes of controlled access highways within the City of El Paso. Locations of all existing traffic signals covered by this agreement are attached as Exhibit II and made a part of this agreement.

AGREEMENT (TRAFFIC SIGNALS - EXPRESS TYPE E-1A) DISTRICT 24



E X H I B I T 1

CONTROLLED ACCESS HIGHWAYS COVERED BY THIS AGREEMENT

1. Interstate Highway 10 from the West City Limit to the East City Limit of El Paso.
2. United States Highway 54 (North-South Freeway) from the Mexican Border to the North City Limits of El Paso.
3. Loop Highway 16 from Junction of IH-10 to Courchesne School.
4. Interstate Highway 110 from Junction of IH-10 to Mexican Border.
5. Loop Highway 375 from Santa Fe Street to the Junction of IH-10 near the East City Limits of El Paso.

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