

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE NORTH EAST TEXAS
REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 14-42

WHEREAS, the North East Regional Mobility Authority ("NET RMA") was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the "RMA Rules"); and

WHEREAS, the Board of Directors of the NET RMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Van Zandt, Wood, Titus, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA is responsible for the operation of Toll 49; and

WHEREAS, on March 18, 2014, in Resolution 14-11, the NET RMA Board of Directors acknowledged that conditions existed which warranted the initiation of an emergency procurement under Section 12.1 of the NET RMA's Policies and Procedures Governing Procurement of Goods and Services (the "Procurement Policies") and authorized the Interim Executive Director to negotiate and execute a contract for slope stabilization and vegetation establishment work on Toll 49; and

WHEREAS, in accordance with Section 12.1 of the Procurement Policies, the Interim Executive Director identified Southwest Environment Services LLC (the "Contractor") as the lowest responsible bidder and a contract was entered into between the NET RMA and the Contractor effective June 17, 2014 (the "Contract"); and

WHEREAS, the terms of the Contract provide that it may be amended from time to time through written agreement by the NET RMA and the Contractor; and

WHEREAS, NET RMA consultants have determined that increased moisture content has occurred in soil areas surrounding portions of Toll 49 which requires immediate corrective action in the form of installation of prefabricated edge drains to prevent damage to NET RMA facilities; and

WHEREAS, the NET RMA Interim Executive Director has recommended the approval of Change Order No. 3 to the Contract, attached hereto as Attachment "A", for an amount not to exceed \$40,500 to provide for the installation of prefabricated edge drains.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby approves Change Order No. 3, attached hereto as Attachment "A"; and

BE IT FURTHER RESOLVED, that Change Order No. 3 may be finalized and executed by the Interim Executive Director.

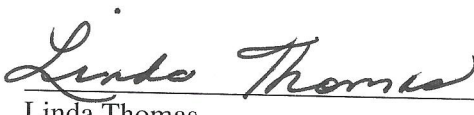
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 9th day of September, 2014.

Submitted and reviewed by:

Approved:



Lori Fixley Winland
General Counsel for the North East
Texas Regional Mobility Authority



Linda Thomas
Chair, Board of Directors
Resolution Number 14-42
Date Passed: 09/09/14