

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

RESOLUTION NO. 16-101

WHEREAS, the North East Texas 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, Titus, Van Zandt, Wood, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, on March 26, 2013, in Resolution 13-13, the NET RMA Board of Directors approved the selection of Atkins North America ("Atkins") to serve as one of the general engineering consultants ("GEC") to the NET RMA and authorized the Chairman to execute an agreement with Atkins for the provision of general consulting civil engineering services; and

WHEREAS, on September 9, 2014, in Resolution No. 14-41, the Board of Directors approved Work Authorization No. 10.0 with Atkins for preliminary development services for Toll 49, Segment 4, for an amount not to exceed \$150,000; and

WHEREAS, on January 20, 2015, in Resolution No. 15-04, the Board of Directors approved Supplemental Work Authorization No. 10.1 with Atkins for continued project development support for Toll 49, Segment 4, for an amount not to exceed \$941,300; and

WHEREAS, on September 22, 2015, in Resolution No. 15-36, the Board of Directors approved Supplemental Work Authorization No. 10.2 with Atkins for continued project development support for Toll 49, Segment 4, for an amount not to exceed an additional \$941,300; and

WHEREAS, the NET RMA and Atkins desire to extend the termination date of Supplemental Work Authorization 10.2 to September 30, 2018; and

WHEREAS, a copy of the proposed extension is reflected in Supplemental Work Authorization No. 10.3, attached hereto as Attachment "A"; and

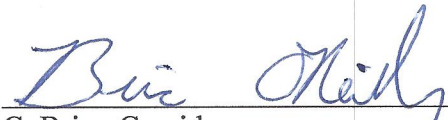
WHEREAS, Atkins has represented to the Board of Directors that the work reflected in Supplemental Work Authorization No. 10.3 is necessary and appropriate.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves Supplemental Work Authorization No. 10.3 in the form attached hereto as Attachment "A"; and

BE IT FURTHER RESOLVED, that all work performed under Supplemental Work Authorization No. 10.3 shall be subject to the Agreement for General Consulting Civil Engineering Services between the NET RMA and Atkins and that no additional work may be undertaken without the specific approval of the Board of Directors.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 9th day of November, 2016.

Submitted and reviewed by:



C. Brian Cassidy
General Counsel for the North East
Texas Regional Mobility Authority

Approved:



Linda Ryan Thomas
Chair, Board of Directors
Date Passed 11/09/16

WORK AUTHORIZATION AMENDMENT

WORK AUTHORIZATION AMENDMENT NO. 10.3

This Work Authorization is made as of this 09 day of November, 2016, under the terms and conditions established in the AGREEMENT FOR GENERAL CONSULTING ENGINEERING SERVICES, dated as of June 01, 2013 (the "Agreement"), between the North East Texas Regional Mobility Authority ("Authority") and ATKINS NORTH AMERICA, INC., ("GEC"). This Work Authorization is made for the following purpose, consistent with the services defined in the Agreement:

Toll 49 Segment 4 – Support Services (Contract Time Extension Only)

Section A. - Scope of Services

A.1. GEC shall perform the following Services:

Continue to provide Toll 49 Segment 4 Support Services as listed in WA#10 and WA Amendments 10.1 and 10.2. Services include Project Coordination and Documentation, ROW Acquisition Oversight, Utility Adjustment and Relocation Oversight, ROW-related surveying and Construction Inspection Oversight.

The Not-to-Exceed fee remains at \$2,032,600. This is a contract time extension only.

A.2. The following Services are not included in this Work Authorization, but shall be provided as Additional Services if authorized or confirmed in writing by the Authority.

(none anticipated)

A.3. In conjunction with the performance of the foregoing Services, GEC shall provide the following submittals/deliverables (Documents) to the Authority:

GEC shall continue to submit administrative, ROW Acquisition and Utility Adjustment documents, and place ROW stakes in the field (via KSA) through September 30, 2018.

Section B. - Schedule

GEC shall perform the Services and deliver the related Documents (if any) according to the following schedule:

This Work Authorization shall begin on January 1, 2017 and continue until September 30, 2018. This is a Time Extension Only, with no increase in fee.

Section C. - Compensation

C.1. In return for the performance of the foregoing obligations, the Authority shall pay to the GEC the amount not to exceed \$ 0 this WA / \$2,032,600 NTE total, based on the attached fee estimate or grant document.

Fee based on Overhead = 152.36%, Profit = 12%; Total Multiplier = 2.83.

See Attachment B – Fee Estimate

C.2. Compensation for Additional Services (if any) shall be paid by the Authority to the GEC according to the terms of a future Work Authorization.

Section D. - Authority's Responsibilities

The Authority shall perform and/or provide the following in a timely manner so as not to delay the Services of the GEC. Unless otherwise provided in this Work Authorization, the Authority shall bear all costs incident to compliance with the following:

Provision of support documents and prompt response to inquiries as requested by the GEC.


Section E. - Other Provisions

The parties agree to the following provisions with respect to this specific Work Authorization:


(none anticipated)

Except to the extent expressly modified herein, all terms and conditions of the Agreement shall continue in full force and effect.

Authority: North East Texas Regional
Mobility Authority

By: Chris Miller
Signature: 
Title: Executive Director
Date: 11/9/16

GEC: Atkins North America, Inc.

By: Wesley M. Burford, III
Signature: 
Title: VP, Sr. Division Manager
Date: _____



Board of Directors Meeting Executive Summary	
DATE:	11/9/2016
TYPE:	Board Approval
SUBJECT:	Approval of Atkins WA 10.3 for Seg 4 Support – TIME EXTENSION ONLY

RECOMMENDATION

- Approval of Work Authorization Amendment No. 10.3 with Atkins North America, Inc. for Segment 4 Support Services. The contract end date is extended from Dec. 31, 2016 to Sept. 30, 2018.

BACKGROUND

- This Work Authorization Amendment 10.3 is for the continuation of Atkins Toll 49 Seg 4 - support services.
- Support Services include Project Coordination and Documentation, ROW Acquisition Oversight, Utility Adjustment and Relocation Oversight, ROW-related surveying and Construction Inspection Oversight.
- Current schedules indicate that ROW Acquisition and Utility Adjustment services will not be completed by the current contract end date of Dec. 31, 2016.
- The total Not To Exceed fee remains at \$2,032,600.00. There is no increase in fee associated with this Work Authorization Amendment. This is a contract time extension only.
- Approval of this Work Authorization 10.3 will extend the contract end date from Dec. 31, 2016 to Sept. 30, 2018.