

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

**RESOLUTION NO. 16-28**

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

WHEREAS, on March 1, 2016, in Resolution 16-21, the Board of Directors authorized the Interim Executive Director to enter into a contract for the construction of the Toll 49, Segment 4 Project (the “Project”) with Webber, LLC in the amount of \$68,760,000; and

WHEREAS, in connection with oversight of the construction of the Project by Webber, LLC, it is important to provide for the independent testing of materials used in the Project; and

WHEREAS, the Texas Department of Transportation (“TxDOT”) has the resources and expertise to provide such testing services at a reasonable cost; and

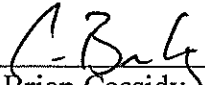
WHEREAS, the NET RMA Interim Executive Director recommends that the NET RMA enter into an Interlocal Agreement with TxDOT to provide material testing and inspection services in connection with the Project.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby authorizes the NET RMA Interim Executive Director to negotiate, finalize, and execute an Interlocal Agreement with TxDOT for the provision of material testing and inspection services in connection with the Toll 49, Segment 4 Project, in the form or substantially the same form attached hereto as Attachment “A”; and

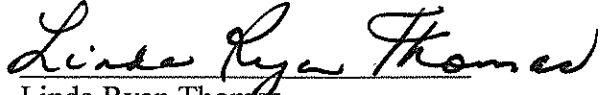
BE IT FURTHER RESOLVED, that the Interim Executive Director is authorized to execute such Interlocal Agreement on behalf of the NET RMA.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 12th day of April, 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  
Resolution Number 16-28  
Date Passed 04/12/16

THE STATE OF TEXAS §  
THE COUNTY OF TRAVIS §

**INTERLOCAL AGREEMENT**

THIS CONTRACT is entered into by the Contracting Parties under Government Code, Chapter 791.

**I. CONTRACTING PARTIES:**

The Texas Department of Transportation                      TxDOT  
North East Texas Regional Mobility Authority              Local Government

**II. PURPOSE:** Construction Inspection & Material Inspection

**III. STATEMENT OF SERVICES TO BE PERFORMED:** TxDOT will undertake and carry out services described in **Attachment A**, Scope of Services.

**IV. CONTRACT PAYMENT:** The total amount of this contract shall not exceed \$ 200,000.00 and shall conform to the provisions of **Attachment B**, Budget. Payments shall be billed monthly.

**V. TERM OF CONTRACT:** This contract begins when fully executed by both parties and terminates on August 31, 2018 or when otherwise terminated as provided in this Agreement.

**VI. LEGAL AUTHORITY:**

**THE PARTIES** certify that the services provided under this contract are services that are properly within the legal authority of the Contracting Parties.

The governing body, by resolution or ordinance, dated March 1, 2016, has authorized the Local Government to obtain the services described in **Attachment A**.

This contract incorporates the provisions of **Attachment A**, Scope of Services, **Attachment B**, Budget, **Attachment C**, General Terms and Conditions, **Attachment D**, Resolution or Ordinance and **Attachment E**, Location Map Showing Project.

**NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY**

By Linda Ryan Thomas Date 4/12/2016  
AUTHORIZED SIGNATURE  
Linda Ryan Thomas  
TYPED OR PRINTED NAME AND TITLE  
Title Chair, NETRMA

**FOR THE STATE OF TEXAS**

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By \_\_\_\_\_ Date \_\_\_\_\_  
Kenneth Stewart  
Director of Contract Services

**Interlocal Agreement**  
**Contract Services Transmittal Form**

From:  Tyler District	Contact Person: Brooke Droptini  Phone No.: 903-510-9113
Subject: ILA for Review/Approval	
Other Entity NETRMA	Contract Maximum Amount Payable \$200,000
Are any federal funds used in this contract? <b>Yes</b>  If yes, what kind of federal funds. <b>0610HP</b>	
Was the standard interlocal or amendment format modified? Yes _____ No <u> x </u>  If modified, date of Contract Services approval: _____  Modifications made are as follows:	