

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

RESOLUTION NO. 16-92

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, the NET RMA is currently pursuing the development of Segment 4 of Toll 49 (the “Project”); 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 Project with Webber, LLC (“Webber”) in the amount of \$68,760,000 (the “Contract”); and

WHEREAS, NET RMA consultants have determined that additional security is necessary to ensure the safety of personnel developing the Project and that such security can be provided by utilizing the services of off duty law enforcement officers;


WHEREAS, NET RMA consultants recommend the approval of Change Order No. 3.0 to the Contract, attached hereto as Attachment “A”, for an amount not to exceed \$17,257.93 to provide for such off-duty law enforcement services.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves Change Order No. 3.0 in the form or substantially the same form attached hereto as Attachment “A”, for an amount not to exceed \$17,257.93 and

BE IT FURTHER RESOLVED, that all work performed under Change Order No. 3.0 shall be subject to the Contract between the NET RMA and Webber 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 11th day of October, 2016.

Submitted and reviewed by:



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

Approved:

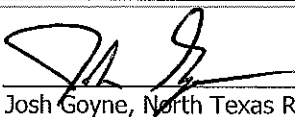



Linda Ryan Thomas
Chair, Board of Directors
Date Passed 10/11/16



TOLL 49 SEGMENT 4 IMPROVEMENTS PROJECT

CHANGE ORDER NO. 3

Project Information		ISSUANCE DATE: 10/03/2016
Project Name	Toll 49 Segment 4 Improvements	
CSJ	3487-01-017, 3487-01-018	
Owner	North East Texas Regional Mobility Authority (NET RMA)	
Description and Reason for the Change Order		
<p>This change order is necessary to incorporate the cost of off-duty law enforcement officers to be on site after an encounter with a property owner. To ensure the safety of field personnel working within the right of way, NET RMA has agreed that the officers were necessary due to the sensitivity of construction personnel working with the area.</p>		
Price & Budget		
<p>Webber's price proposal attached includes the TxDOT Law Enforcement Work form and timesheets submitted by the officers providing protection. NET RMA has reviewed the proposal and it appears the costs are reasonable and recommends approval. The work associated with this change order will increase the Contract Value by a lump sum amount of \$17,257.93.</p>		
<p>Original Bid Amount: \$ 68,760,000.00 Previously Approved Change Orders: \$ 26,247.38 <u>Change Order 3 Amount: \$ 17,257.93</u> Contract Max Not to Exceed Amount: \$ 68,803,505.31</p>		
<p>This amount will not be exceeded without prior authorization from the NET RMA.</p>		
Project Schedule		
Adjustment to Schedule	No change	
Signatures		
ACCEPTED:		
Webber, LLC	Signature:  <u>11/10/2016</u> Josh Goyne, North Texas Regional VP	
APPROVED:		
NET RMA	Signature:  Everett Owen, PE, Project Director	