

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

RESOLUTION NO. 17-02

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 September 22, 2015, in Resolution No. 15-35, the NET RMA Board of Directors approved the selection of Reynolds & Kay, Ltd. ("Reynolds & Kay") to provide the NET RMA with construction of pavement repairs and improvements on Toll 49 and authorized the negotiation and execution of an agreement with Reynolds & Kay (the "Agreement") for the provision of the initial phase of such Services for an amount not to exceed \$942,178.00; and

WHEREAS, on April 12, 2016, in Resolution No. 16-26, the NET RMA Board of Directors approved an amendment to the Agreement to increase the maximum price under the Agreement to \$7,501,670.69 (the "Maximum Contract Price"), subject to work being authorized through separate change orders approved by the Board of Directors; and

WHEREAS, the NET RMA is currently pursuing improvements to Segment 3B of Toll 49, which requires additional pavement repair and improvement services; and

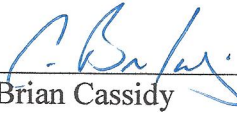
WHEREAS, in order to authorize Reynolds & Kay to provide additional services contemplated by the Agreement, an amendment to the Maximum Contract Price must be authorized by the Board of Directors.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the amendment to the Agreement with Reynolds & Kay to increase the maximum price under the Agreement to \$8,358,343.94; and

BE IT FURTHER RESOLVED, that all future work performed under the Agreement between the NET RMA and Reynolds & Kay shall be subject to separate change orders approved by the Board of Directors.

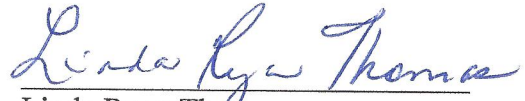
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 12th day of January, 2017.

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 01/12/17