

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

**RESOLUTION NO. 18-28**

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, in Resolution No. 11-05, dated February 28, 2011, following a thorough and fair procurement process, the NET RMA Board of Directors approved the selection of Telvent USA Corporation, now known as Kapsch Trafficcom Transportation, North America (“Kapsch”), as the best qualified firm to serve as toll systems integrator to the NET RMA and authorized the Chairman or his designee to negotiate and execute an agreement with Kapsch for the provision of such services (the “Agreement”); and

WHEREAS, the Agreement was subsequently executed effective September 2, 2011; and

WHEREAS, the Agreement may be amended from time to time through work authorizations agreed upon by the NET RMA and Kapsch; and

WHEREAS, on April 14, 2016, in Resolution No. 16-62, the NET RMA Board of Directors approved Work Authorization No. 10 to provide for toll system implementation support on Segment 4 of Toll 49 (the “Project”); and

WHEREAS, the NET RMA and Kapsch have agreed to a supplemental work authorization to provide for the installation of lightning protection systems at the toll zones on the Project; and

WHEREAS, Kapsch has developed a proposed scope of services and a budget of \$98,502.00 for the work; and

WHEREAS, a copy of that proposed scope of services and budget is contained in Supplemental Work Authorization No. 10.1, attached hereto as Attachment “A”; and

WHEREAS, the Board of Directors must approve Supplemental Work Authorization No. 10.1 before Kapsch may proceed to work thereunder; and

WHEREAS, Kapsch has represented to the Board of Directors that the work reflected in Supplemental Work Authorization No. 10.1 is necessary and appropriate.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves Supplemental Work Authorization No. 10.1 in the form attached hereto as Attachment "A", for an amount not to exceed \$98,502.00; and

BE IT FURTHER RESOLVED, that all work performed under Supplemental Work Authorization No. 10.1 shall be subject to the Agreement for Toll System Integration Services between the NET RMA and Kapsch 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 8th day of May, 2018.

Submitted and reviewed by:

Approved:



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



Linda Ryan Thomas  
Chair, Board of Directors  
Date Passed 05/08/18  
Resolution No. 18-28