

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

**RESOLUTION NO. 21-08**

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, Kaufman, Cass, and Camp joined the Authority and are represented on the Board of Directors; and

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

WHEREAS, on February 11, 2014, in Resolution 14-08, the NET RMA Board of Directors approved entry into an agreement with Fagan Consulting, LLC (“Fagan Consulting”) to provide the NET RMA with toll systems consulting services; and

WHEREAS, the NET RMA and Fagan Consulting subsequently entered into an Agreement for Toll Systems Consulting Services (the “Agreement”); and

WHEREAS, on March 20, 2018, in Resolution 18-15, the NET RMA Board of Directors approved an Amendment to the Agreement to extend the term of the Agreement until April 9, 2020; and

WHEREAS, on July 14, 2020, in Resolution 20-16, the NET RMA Board of Directors approved a Second Amendment to the Agreement to extend the term of the Agreement until April 9, 2021; and

WHEREAS, on July 14, 2020, in Resolution 20-15, the NET RMA Board of Directors selected a new toll system integrator; and

WHEREAS, in order to provide sufficient time for the NET RMA to complete its transition to the new toll system integrator, the Board of Directors desires to extend the term of the Agreement so that that Fagan Consulting may continue to provide services pursuant to the terms set forth therein.

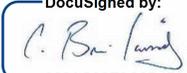
NOW THEREFORE, BE IT RESOLVED, that the NET RMA Board of Directors approves the Third Amendment to the Agreement between Fagan Consulting and the NET RMA, in the form attached hereto as Attachment "A", to extend the term of the Agreement until April 9, 2022 and authorizes the Executive Director to execute such amendment on behalf of the NET RMA; and

BE IT FURTHER RESOLVED, that all other terms and conditions of the Agreement remain in effect.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 8th day of June, 2021.

Submitted and reviewed by:

Approved:

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

  
Linda Ryan Thomas  
Chair, Board of Directors  
Date Passed: 06/08/21  
Resolution Number 21-08