

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

RESOLUTION NO. 21-35

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, in Resolution No. 19-30, dated September 10, 2019, following a competitive procurement, the NET RMA Board of Directors selected CDM Smith to serve as one of the firms to provide traffic and revenue engineering services to the NET RMA and authorized the Executive Director to negotiate, finalize, and execute an agreement with CDM Smith for the provision of such services (the “Agreement”); and

WHEREAS, in Resolution No. 17-54, dated September 13, 2017, the NET RMA Board of Directors approved Work Authorization No. 4.0 with CDM Smith under a previous agreement for traffic and toll revenue engineering services for Segment 6 of Toll 49, for an amount not to exceed \$698,755.16; and

WHEREAS, in Resolution No. 20-08, dated May 12, 2020, the NET RMA Board of Directors approved Supplemental Work Authorization No. 4.1 with CDM Smith for continued traffic and revenue technical support services for Segment 6 of Toll 49, for an amount not to exceed \$64,793.00; and

WHEREAS, in Resolution No. 20-27, dated September 8, 2020, the NET RMA Board of Directors approved Supplemental Work Authorization No. 4.2 with CDM Smith for continued traffic and revenue technical support services for Segment 6 of Toll 49, with no increase to the previously approved maximum amount to be paid for the services; and

WHEREAS, in Resolution No. 21-21, dated September 14, 2021, the NET RMA Board of Directors approved Supplemental Work Authorization No. 4.3 with CDM Smith for continued traffic and revenue technical support services for Segment 6 of Toll 49, with no increase to the previously approved maximum amount to be paid for the services; and

WHEREAS, CDM Smith has developed a revised scope of services and budget for a comprehensive traffic and revenue study for Toll 49 to support the refunding of NET RMA toll revenue bonds, for an amount not to exceed \$983,326.00; and

WHEREAS, a copy of that proposed scope of services and budget is contained in Supplemental Work Authorization No. 4.4, attached hereto as Attachment "A"; and

WHEREAS, considering previously approved Work Authorization No. 4.0, Supplemental Work Authorization Nos. 4.1 through 4.3, and proposed Supplemental Work Authorization No. 4.4, the maximum amount to be paid for services described herein is \$ 1,746,874.16; and

WHEREAS, the Board of Directors must approve Supplemental Work Authorization No. 4.4 before CDM Smith may proceed to work thereunder; and

WHEREAS, NET RMA staff and consultants believe that the work reflected in Supplemental Work Authorization No. 4.4 is necessary and appropriate in order to consummate the bond refunding transaction.


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the NET RMA hereby approves Supplemental Work Authorization No. 4.4 with CDM Smith in the form attached hereto as Attachment "A", for a comprehensive traffic and revenue study for Toll 49 to support the refunding of NET RMA toll revenue bonds, for an amount not to exceed \$983,326.00; and

BE IT FURTHER RESOLVED, that all work performed under Supplemental Work Authorization No. 4.4 shall be subject to the Agreement between the NET RMA and CDM Smith 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 January, 2022.

Submitted and reviewed by:

Approved:



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

DocuSigned by:


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Gary Halbrooks
Chair, Board of Directors
Date Passed: 1/11/22
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