

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

RESOLUTION NO. 14-08

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, Wood, Van Zandt, Titus, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA is currently responsible for the operation of Segments 1, 2, 3A, 3B, and 5 of Toll 49 (collectively, “Toll 49”); and

WHEREAS, the Interim Executive Director has determined that the NET RMA would benefit from the services of an independent consultant who can provide the NET RMA with advice and oversight related to the operation of toll systems on Toll 49; and

WHEREAS, Section 8.9 of the NET RMA’s Policies and Procedures Governing Procurement of Goods and Services provides that consulting services may be procured as a single-source procurement if the Executive Director determines that only one prospective consultant possesses the demonstrated competence, knowledge, and qualifications to provide the services required by the Authority at a reasonable fee and within the time limitations required; and

WHEREAS, the Interim Executive Director has determined that Fagan Consulting LLC is the only consultant that possess the demonstrated competence, knowledge, and qualifications to provide the services required by the Authority at a reasonable fee and within the time limitations required and has provided the Board of Directors with a written justification, attached hereto as Attachment “A”, to support the procurement of a contract with Fagan Consulting LLC as a single-source contract.

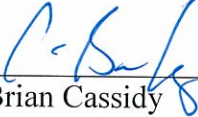
NOW THEREFORE, BE IT RESOLVED, that the NET RMA Board of Directors approves entry into a consulting contract with Fagan Consulting LLC for a term of two (2) years at a cost not to exceed \$150,000.00; and

BE IT FURTHER RESOLVED, that the Interim Executive Director is authorized to negotiate and execute a contract with Fagan Consulting LLC consistent with the terms of this resolution.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 11th day of February, 2014.

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
Resolution Number 14-08
Date Passed: 02/11/14