

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

RESOLUTION NO. 11-08

WHEREAS, the North East 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, Cass, Panola, Van Zandt, Wood and Titus joined the Authority and are represented on the Board of Directors; and

WHEREAS, the NET RMA identified Segment 3B of Toll 49 (the “Toll 49 Segment 3B Project”) as a project it intends to develop through a design/build comprehensive development agreement (“CDA”); and

WHEREAS, in Resolution No. 10-06, dated June 23, 2010, following the conclusion of the CDA procurement process, the NET RMA Board of Directors approved the selection of CH2M HILL Constructors, Inc. as the team presenting the best value proposal and directed the Project Director and consulting team to negotiate a design/build CDA for the development of the Toll 49 Segment 3B Project with CH2M HILL Constructors, Inc.; and

WHEREAS, in Resolution No. 10-12, dated October 20, 2010, the Board of Directors approved entry into the design/build CDA with CH2M HILL Constructors, Inc. and, contingent upon the attorney general’s determination that the CDA is legally sufficient, authorized the Chairman to execute the design/build CDA; and

WHEREAS, on February 7, 2006, the NET RMA Board of Directors approved the selection of PBS&J to serve as the general engineering consultant (“GEC”) to the NET RMA and authorized the Chairman to execute an agreement with PBS&J for the provision of general consulting civil engineering services; and

WHEREAS, the GEC has developed a proposed scope of services for GEC work related to oversight of CH2M HILL Constructors, Inc.’s construction of the Toll 49 Segment 3B Project; and

WHEREAS, a copy of that proposed scope of services is contained in the work authorization attached hereto as Attachment “A” (“Work Authorization No. 14.0”); and

WHEREAS, the GEC has represented to the Board of Directors that the work reflected in Work Authorization No. 14.0 is necessary and appropriate.


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves Work Authorization No. 14.0 in the form attached hereto as Attachment "A"; and

BE IT FURTHER RESOLVED, that all work performed under Work Authorization No. 14.0 shall be subject to the Agreement for General Consulting Civil Engineering Services between the NET RMA and the GEC 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 28th day of February, 2011.

Submitted and reviewed by:

Approved:



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



Linda Ryan Thomas
Vice Chair, Board of Directors
Resolution Number 11-08
Date Passed: 02/28/11
DEPT Austin TX