



**CENTRAL TEXAS  
Regional Mobility Authority**

## AGENDA ITEM #8 SUMMARY

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Approve an extension of the agreement with Crosswind Communications, LLC, for communication, public outreach, public involvement, and marketing services and advice.

Strategic Plan Relevance: Regional Mobility, Innovation

Department: Communications

Associated Costs: None.

Funding Source: Capital Funds of the MoPac Improvement Project, Manor Expressway, Bergstrom Expressway, Oak Hill Parkway, 183 North, 45 SW and MoPac South; and Operating Fund

Board Action Required: Yes

Description of Matter: In July 2011, the Board approved a contract with Crosswind Communications, LLC, to provide communication and marketing consultant services. The initial contract term was for two years, and included an option to extend the contract by up to two years until July 31, 2015. The Mobility Authority has administratively exercised its option to extend the contract until July 31, 2015. Due to the increased requirement for services related to all our projects under development and construction, the Executive Director recommends extending the contract termination date until December 31, 2015. Existing (and continuing) language in the contract allows the Mobility Authority to terminate the contract immediately for cause, or without cause on 60 days' notice.

Reference documentation: Draft Amendment  
Draft Resolution

Contact: Mike Heiligenstein, Executive Director

**AMENDMENT NO. 2**

**TO THE**

**COMMUNICATION AND MARKETING SERVICES AGREEMENT**

The Central Texas Regional Mobility Authority (the “Mobility Authority” or “CTRMA”) and Crosswind Communications, LLC (“Crosswind”) are parties to that certain Communication and Marketing Services Agreement effective August 1, 2011, as previously amended (the “Agreement”).

Under Article IV (Term and Termination) of the Agreement, Crosswind and the Mobility Authority have agreed the Agreement will terminate on July 31, 2015, unless terminated before that date as provided in the Agreement.

Pursuant to the authority granted by Resolution No. 15-\_\_\_ enacted by the Mobility Authority Board of Directors on January 28, 2015, the parties desire to extend the Agreement to terminate December 31, 2015, or any earlier termination provided in the Agreement.

**Mobility Authority and Crosswind hereby amend the Agreement as follows:**

1. The first paragraph only under Article IV (Term and Termination) of the Agreement is amended to read in its entirety as follows:

This Agreement terminates on December 31, 2015, or any earlier date on which the Agreement terminates as provided in this Agreement.

2. This Amendment will become effective when both parties have signed it. The date of this Amendment will be the date it is signed by the last party to sign it.

Each party is signing this Amendment on the date stated below that party’s signature.

**CROSSWIND COMMUNICATIONS, LLC**

**CENTRAL TEXAS REGIONAL  
MOBILITY AUTHORITY**

By: \_\_\_\_\_  
Thomas Graham, Member  
Chief Executive Officer

By: \_\_\_\_\_  
Mike Heiligenstein  
Executive Director

Date: January \_\_\_\_\_, 2015

Date: January \_\_\_\_\_, 2015

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 15-\_\_\_**

**APPROVING AN EXTENSION OF THE AGREEMENT WITH  
CROSSWIND COMMUNICATIONS, LLC, FOR COMMUNICATION,  
PUBLIC OUTREACH, PUBLIC INVOLVEMENT, AND  
MARKETING SERVICES AND ADVICE.**

WHEREAS, by Resolution No. 11-099 enacted on July 28, 2011, the Board awarded a contract to Crosswind Communications, LLC, (“Crosswind”) to provide communication and marketing consulting services to the Mobility Authority; and

WHEREAS, pursuant to the authority granted under Resolution No. 11-099, the Executive Director executed a contract with Crosswind that terminates, after previously agreed extensions, on July 31, 2015, or any earlier date on which the contract terminates as provided in the contract; and

WHEREAS, the Executive Director recommends amending the contract to extend the termination date to December 31, 2015, or any earlier date on which the contract terminates as provided in the contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors authorizes the Executive Director to execute an amendment to the contract with Crosswind Communications, LLC, to establish a contract termination date of December 31, 2015, or any earlier date on which the contract terminates as provided in the contract.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 28<sup>th</sup> day of January, 2015.

Submitted and reviewed by:

Approved:

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Andrew Martin, General Counsel

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Ray A. Wilkerson  
Chairman, Board of Directors