



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

November 8, 2017
AGENDA ITEM #17

Authorize negotiation and execution of a
Project Development Agreement with the Texas
Department of Transportation for the
183 North Project

Strategic Plan Relevance: Regional Mobility
Department: Engineering
Contact: Justin Word, P.E., Director of Engineering
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on draft resolution

Summary:

Execution of a Project Development Agreement (PDA) with the Texas Department of Transportation (TxDOT) is a requirement for implementation of the 183 North Project. This agreement establishes the respective obligations of the Mobility Authority and TxDOT for the procurement, design, and construction of the Project. TxDOT will be the lead agency and manage the design build procurement and construction activities. The Texas Transportation Commission (TTC) approved the following minute orders Thursday, October 26, 2017 to move the project forward:

- Enter into a PDA with CTRMA for the combined construction.
- Authorize the procurement of a design build contractor.
- Authorize CTRMA to connect to the TxDOT system.

This is a \$500M project with limits from MoPac to FM 620/SH 45 North. It includes the construction of one (1) new general-purpose lane in each direction and two (2) express lanes in each direction. Project funding includes \$120M from TxDOT for the non-tolled elements and \$380M from CTRMA with for the express lanes. Staff is working with TxDOT on the terms of the PDA with the goal of making it available to the Board before the meeting. Staff requests that the Executive Director be authorized to negotiate, finalize, and execute the Project Development Agreement with TxDOT for the 183N Project.

Backup Provided: Draft Resolution

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

RESOLUTION NO. 17-0XX

**AUTHORIZE NEGOTIATION AND EXECUTION OF A
PROJECT DEVELOPMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF
TRANSPORTATION FOR THE 183 NORTH PROJECT**

WHEREAS, the Mobility Authority received environmental approval for the development of the 183 North Project through the issuance of a Finding of No Significant Impact by the Texas Department of Transportation (“TxDOT”), dated April 27, 2016; and

WHEREAS, by Resolution No. 17-002, dated January 25, 2017, the Central Texas Regional Mobility Authority Board of Directors (the “Board”) authorized the Executive Director to proceed with further development of the 183 North Project; and

WHEREAS, by Resolution No. 17-023, dated April 26, 2017, the Board exercised its option as a local toll project entity to develop, finance, construct, and operate an approximately 8.0 mile section of managed lanes on U.S. 183 between SH 45 North and MoPac as part of the 183 North Project (the “Mobility Authority Improvements”); and

WHEREAS, TxDOT has evaluated potential non-tolled project elements to be developed and constructed as part of the 183 North Project, including widening of US 183 as required to bring the total number of general purpose lanes to four in each direction, construction of bicycle/pedestrian elements, and associated development costs (the “TxDOT Improvements”); and

WHEREAS, on June 1, 2017, Mobility Authority staff submitted an advance funding agreement (“AFA”) application to TxDOT to secure TxDOT funding for the TxDOT Improvements to be developed and constructed by the Mobility Authority as part of the 183 North Project; and

WHEREAS, by Resolution No. 17-038, dated June 28, 2017, the Board authorized the Executive Director to take all actions necessary to negotiate, finalize and execute an AFA with TxDOT to pay for the TxDOT Improvements portion of the 183 North Project; and

WHEREAS, in July 2017, TxDOT asked the Mobility Authority to pause its procurement efforts and, subsequently, requested that TxDOT be the lead agency in contracting for the delivery of the entire 183 North Project (including the Mobility Authority Improvements) instead of moving forward with the Mobility Authority in the lead role; and

WHEREAS, by Minute Order No. 115078, dated October 26, 2017, the Texas Transportation Commission approved TxDOT’s issuance of a request for qualifications to develop, design, construct and potentially maintain the 183 North Project, subject to the execution of a project development agreement (“PDA”) between TxDOT and the Mobility Authority; and

WHEREAS, the Executive Director recommends that the Board authorize him to negotiate, finalize and execute a PDA with TxDOT for the 183 North Project.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby authorizes the Executive Director to negotiate, finalize and execute a project development agreement with the Texas Department of Transportation for the 183 North Project.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 8th day of November 2017.

Submitted and reviewed by:

Approved:

Geoffrey Petrov, General Counsel

Ray A. Wilkerson
Chairman, Board of Directors