

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

RESOLUTION NO. 06-41

WHEREAS, the Central Texas Regional Mobility Authority (“CTRMA”) was created pursuant to the request of Travis and Williamson Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.01, *et. seq.* (the “RMA Rules”); and

WHEREAS, Chapter 370 of the Texas Transportation Code authorizes regional mobility authorities to develop projects through the use of comprehensive development agreements (“CDAs”); and

WHEREAS, the CTRMA solicited proposals for the development of 183-A and in Resolution No. 04-43, dated September 8, 2004, the Board of Directors approved the selection of Hill Country Constructors as the Developer for 183-A, and the CTRMA and Hill Country Constructors entered into a CDA effective November 29, 2004 for the 183-A Turnpike Project; and

WHEREAS, in Resolution No. 05-36, dated April 27, 2005, the Board of Directors approved entering into a Toll Systems Implementation and Maintenance Agreement (“Toll Systems Agreement”) with Caseta Technologies (“Caseta”);

WHEREAS, in Resolution No. 05-37, dated April 27, 2005, the Board of Directors provided that the Toll Systems Agreement constituted an amendment to the CDA, and Caseta became responsible for various matters included under the original terms of the CDA related to the design and construction of the toll systems for the 183A Toll Project;

WHEREAS, the work performed under both the CDA and the Toll Systems Agreement requires oversight by the General Engineering Consultant retained by the CTRMA (the “GEC”); and

WHEREAS, the CDA and the Toll Systems Agreement include a process for the consideration and development of potential change orders for aspects or portions of the work performed under the Toll Systems Agreement which might warrant adjustment to the Contract Price or Contract Time as defined thereunder for performance by Caseta ; and

WHEREAS, the change order process includes consideration of potential changes or revisions caused by several sources or events, including certain requests for changes by the CTRMA, certain otherwise undiscovered matters affecting the 183-A Project, as well as other items more fully set forth in the Toll Systems Agreement; and

WHEREAS, the CDA and the Toll Systems Agreement provide that all change orders be formally agreed to by the CTRMA and Caseta, and that except those involving an amount up to and including \$50,000.00 as set forth in Resolution No. 05-46 dated June 29, 2005, the Board must approve any change order; and

WHEREAS, the CTRMA, the GEC and Caseta, pursuant to the change order process set forth in the CDA and Toll Systems Agreement, have determined that a reduction in the number of the Lane Changeable Message Signs ("LCMS") originally planned, as well as a change in the type of LCMS is necessary and appropriate, and therefore require the issuance of Caseta Change Order No. 1, as set forth and in accordance with the terms thereof and attached hereto as Attachment "A".


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the execution and issuance of Caseta Change Order No. 1 as set forth and in accordance with the terms of thereof and attached hereto as Attachment "A"; and

BE IT FURTHER RESOLVED, that Caseta Change Order No. 1 is made an amendment to the Toll Systems Agreement, as of the date that Caseta Change Order No. 1 is fully executed by the CTRMA and Caseta.

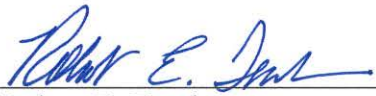
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26th day of July, 2006.

Submitted and reviewed by:

Approved:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 06-41
Date Passed 07/26/06

Attachment "A"

Copy of Caseta Change Order No. 1 Memorandum and Summary
And
Change Order Form




Central Texas Regional
Mobility Authority

MEMORANDUM

To: Mike Heiligenstein
Ron Fagan
Bill Chapman

Date: July 19, 2006

From: Richard Ridings 

Subject: Caseta Change Order No. 001 to Work Authorization 1 – Lane Changeable Message Signs

Copies: Tom Nielson, Everett Owen

In response to a May 18, 2006 letter entitled RFP for Lane Related Change Orders to Work Authorization No. 1, and specifically to Item #3 in the letter - Change to quantity and type of Lane Changeable Message Signs (LCMS), we have reviewed the Caseta's proposal and the issues related to this item and offer the following for your consideration.

The purpose of this proposed Change Order is to both reduce the number of LCMS's and to change the sign type as well. The original proposal required twelve LCMS's, however, in the final configuration as currently designed, only six lanes will offer alternative payment methods based on time of day and demand – Brushy Creek Ramp Lanes 1 & 2 in both directions and Park Street Manual Lanes 4 & 11 (one in each direction).

The purpose of the LCMS's is to notify customers, as they approach the payment point, of the payment type that is currently being accepted. This applies only to lanes that support multiple methods of payment.

Although Caseta's original proposal met the contract requirement, this change was requested to:

1. Conform to a new TxDOT "standard" sign being utilized on the CTPP Projects;

301 Congress Avenue, Suite 650 Austin, TX 78701
Telephone: (512) 996-9778 / Fax: (512) 996-9784 / www.mobilityauthority.com

Robert E. Tesch, *Chairman* • Lowell H. Lebermann, Jr., *Vice-Chairman* • Robert L. Bennett, Jr., *Treasurer*
Henry H. Gilmore • James H. Mills • David Singleton • Johanna Zmud Ph.D. • Mike Heiligenstein, *Executive Director*

2. Provide a sign that more clearly depicts the type of toll collection being offered in that lane;
3. Provide a sign that has improved readability; and
4. Provide a sign that reduces confusion and improves safety



Example of Original Sign Type



Example of Proposed Sign Type

Due to the lead time required for the signs, this item is being responded to first, with the intent of getting the approval at the July Board Meeting.

Cost

The total cost impact of this proposed change order is calculated as follows:

\$ 520,579.80	Total cost for new signs and installation
<u>\$ 159,515.29</u>	Less: Amount bid in original proposal
\$ 361,064.51	Net Impact of Change Order #001

Caseta's bid is based on a quote directly from the manufacturer and quote from an electrical subcontractor to install and connect the signs. The markup, 15% on equipment and 5% on subcontractor labor, are per TxDOT Maroon Book standards, and the quote is in line with what others have paid for similar signs.

\$ 7,980,093.06	Original Work Authorization No. 1 Bid Price
\$ 406,674.68	Additional Work Authorizations
\$ 0.00	Previously Approved Change Orders
<u>\$ 361,064.51</u>	This Change Order - # 001
\$ 8,747,832.25	Total Adjusted Contract Price

\$12,622,000.00	Total Available for Toll System Integration
\$ 3,874,167.75	Remaining Contingency for Toll System Integration

The GEC has reviewed the subject Change Order and recommends approval.



Central Texas Regional
Mobility Authority

Central Texas Regional Mobility Authority

CHANGE ORDER NUMBER: 1

1. CONTRACTOR: Caseta Technologies, Inc.
2. Change Order Work Limits: Sta. _____ to Sta. _____
3. Type of Change (on federal-aid non-exempt projects): _____
4. Reasons: 2C, 3B (3 Max. - In order of importance - Primary first)
5. Describe the work being revised: CTRMA has requested that we change the Custom Lane Message sign from the original specified sign to the Daktronics Vanguard LED Variable Message sign to keep a consistent regional look and feel to the toll rolls in the Austin district.
NOTE: Terms of the vendor require a 50% payment on PO which will be billed to the Authority at time invoice is released.
A Storage Charge may be added if installation is delayed from current schedule.

CCSJ:	_____
Project:	<u>183A Turnpike</u>
Highway:	<u>183A Turnpike</u>
County:	<u>Travis, Willamson</u>
District:	<u>Austin</u>
Contract Number:	_____
Fed. Aid Exempt:	<input type="checkbox"/>
Fed. Aid Non Exempt:	<input type="checkbox"/>

6. New or revised plan sheet(s) & sketch(es) are attached and numbered:

Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

<p><i>The contractor must sign the Change Order and, by doing so, agrees to waive any and all claims for additional compensation due to any and all other expenses; additional changes for time, overhead and profit; or loss of compensation as a result of this change.</i></p> <p>THE CONTRACTOR _____ Date _____</p> <p>By _____</p> <p>Typed/Printed Name _____</p> <p>Typed/Printed Title _____</p>	<p>The following information must be provided</p> <p>Time Ext. #: <u>NIA</u> Days added on this CO: <u>0</u></p> <p>Amount added by this change order: <u>\$361,064.51</u></p> <hr/> <p>For CTRMA use only:</p> <p>Original Contract Amount: <u>\$7,980,093.06</u></p> <p>Revised contract amount to-date: _____</p> <p>CO portion financed by 3rd party funding: <u>\$0.00</u></p>
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RECOMMENDED FOR EXECUTION BY:

APPROVAL:

Richard Ridings 7/19/06
 Signature Date
RICHARD L. RIDINGS
 GEC, Project Manager

 CTRMA, Director of Operations Date
 APPROVED REQUEST APPROVAL

 CTRMA, Director of Engineering Date
 APPROVED REQUEST APPROVAL

 CTRMA, General Counsel Date
 APPROVED REQUEST APPROVAL

 CTRMA, Executive Director Date
 APPROVED

Central Texas Regional Mobility Authority

CHANGE ORDER NUMBER: 1

CCSJ: _____

TABLE A: Force Account Work and Materials Placed

P

Estimated Cost: \$520,579.80

Paid by Invoice? Y N

Item	Equipment	UNIT	UNIT PRICE	QUANTITY
1	Vanguard LED Variable Message Sign	6	68,000	\$408,000.00
2	Sign Controller, Six (6) LED Display Mod	1	9,200	\$9,200.00
3				\$0.00
4				\$0.00
5				\$0.00
6				\$0.00
7				\$0.00
8				\$0.00
9				\$0.00

Total Material **\$417,200.00**

Item	LABOR	Number Of Personnel	Number Of Hours	Hourly Rate	Total
1					\$0.00
2					\$0.00
3					\$0.00
4					\$0.00
5					\$0.00
6					\$0.00
7					\$0.00
8					\$0.00
9					\$0.00

Total Labor **\$0.00**

Item	Material	Number Of Hours	Rental Rate	Operating Cost	Total
1					\$0.00
2					\$0.00
3					\$0.00
4					\$0.00
5					\$0.00
6					\$0.00
7					\$0.00
8					\$0.00
9					\$0.00

Total Equipment **\$0.00**

Item	Subcontractor				Total
1	Titus Electrical		6	3996	\$23,976.00
2	Dactronics Installation Support & Training		1	7500	\$7,500.00
3					
4					
5					
6					
7					
8					
9					

Total
Subcontractor **\$31,476.00**

Item	Pass Through Items				Total
1	Shipping		1	6150	\$6,150.00
2	Travel Costs		1	1600	\$1,600.00
3					
4					
5					
6					
7					
8					
9					

Total
Subcontractor **\$7,750.00**

Item	Description	Item Total	Burden (25%)	Insurance (55%)	Material Mark Up (25%)	Equipment Mark Up (15%)	Subcontractor Mark Up (5%)	Total
Labor		\$0.00	0.00	0.00				\$0.00
Material		\$0.00			0.00			\$0.00
Equipment		\$417,200.00				62,580.00		\$479,780.00
Subcontractor		\$31,476.00					1,573.80	\$33,049.80
Pass Through		\$7,750.00						\$7,750.00
Force Account Total								\$520,579.80

TABLE B: Contract Items

ITEM	DESCRIPTION	UNIT	UNIT PRICE	ORIGINAL + PREVIOUSLY REVISED		NEW		OVERRUN/ UNDERRUN
				QUANTITY	ITEM COST	QUANTITY	ITEM COST	
	Lane Changeable Message Sign		\$13,292.94	12.00	\$159,515.29		\$0.00	(\$159,515.29)
TOTALS						\$159,515.29	\$0.00	(\$159,515.29)

CHANGE ORDER REASON(S) CODE CHART

1. Design Error or Omission	1A. Incorrect PS&E (CTRMA design) 1B. Incorrect PS&E (consultant design) 1C. Other
2. Differing Site Conditions (unforeseeable)	2A. Dispute resolution (expense caused by conditions and/or resulting delay) 2B. Unavailable material 2C. New development (conditions changing after PS&E completed) 2D. Environmental remediation 2E. Miscellaneous difference in site conditions (unforeseeable)(Item 9) 2F. Site conditions altered by an act of nature 2G. Unadjusted utility (unforeseeable) 2H. Unacquired Right-of-Way (unforeseeable) 2I. Additional safety needs (unforeseeable) 2J. Other
3. CTRMA Convenience	3A. Dispute resolution (not resulting from error in plans or differing site conditions) 3B. Public relations improvement 3C. Implementation of a Value Engineering finding 3D. Achievement of an early project completion 3E. Reduction of future maintenance 3F. Additional work desired by CTRMA 3G. Compliance requirements of new laws and/or policies 3H. Cost savings opportunity discovered during construction 3I. Implementation of improved technology or better process 3J. Price adjustment on finished work (price reduced in exchange for acceptance) 3K. Addition of stock account or material supplied by state provision 3L. Revising safety work/measures desired by CTRMA 3M. Other
4. Third Party Accommodation	4A. Failure of a third party to meet commitment 4B. Third party requested work 4C. Compliance requirements of new laws and/or policies (impacting third party) 4D. Other
5. Contractor Convenience	5A. Contractor exercises option to change the traffic control plan 5B. Contractor requested change in the sequence and/or method of work 5C. Payment for Partnering workshop 5D. Additional safety work/measures desired by the contractor 5E. Other
6. Untimely ROW/Utilities	6A. Right-of-Way not clear (third party responsibility for ROW) 6B. Right-of-Way not clear (CTRMA responsibility for ROW) 6C. Utilities not clear 6D. Other

Quote

Caseta Technologies
 701 Brazos Street, Suite 500
 Austin, TX 78701

Quote #204632-1
 4 January 2006

Attn: Dusty Deitiker
 Phone: (512) 968-2068
 E-mail: dusty@caseta.com

Valid for 90 Days

RE: Toll Plaza Message Signs

<u>Item</u>	<u>Description</u>	<u>Qty.</u>	<u>Unit Price</u>	<u>Extended Price</u>
1	Vanguard® LED Variable Message Sign Model: VF-2350-96x96-6-RGB Includes: <ul style="list-style-type: none"> • One (1) Year Gold Warranty (Parts Only) • Professional Engineer certification of VMS housing structural design • Vanguard® Central Control Software • Field demonstration test • One (1) internally mounted sign controller • Integrator's Toolkit CD • Project Management, Engineering Design 	6	\$68,000	\$408,000
2	Spare Parts Includes: <ul style="list-style-type: none"> • One (1) sign controller • Six (6) LED Display Modules • One (1) CAN Distribution Board • Two (2) 24v Power Supplies • One (1) Temp/Light Sensor • Four (4) Air Filters • One (1) Fan 	L.S.	\$9,200	\$9,200
3	Shipping From Brookings, SD to Austin, TX	L.S.	\$6,150	\$6,150
4	Installation Support & Training Includes: <ul style="list-style-type: none"> • Four (4) days on-site Installation Support • Four (4) hours of Software Training • Four (4) hours of Maintenance Training • Travel expenses for Daktronics technician from Brookings, SD to Austin, TX 	L.S.	\$7,500	\$7,500

Total Package Price **\$430,850**



Quote

Excludes:

- Optional items listed herein
- VMS support structure and structure footing (engineering, material, and installation)
- VMS mounting hardware (nuts, bolts, washers, shims, etc.)
- Control equipment mounting pad (material and installation)
- Control equipment physical installation (off-loading from delivery truck, mounting on pad, etc.)
- VMS physical installation (off-loading VMS from the delivery truck, lifting, hanging, mounting, etc.)
- Lane closures and other traffic management costs during VMS installation, VMS testing, and maintenance
- VMS and control equipment cabinet earth grounding
- Power and signal conduit, incoming to the VMS (1.5-inch conduit is typical, but requires buyer verification)
- Power cabling, VMS to control cabinet
- Electrical power, start up and operating fees
- Communications cable and equipment (telephone, fiber, or CDPD communications backbone and its installation)
- Communications service start-up and operating fees
- Payment/Performance bonds and permits

Optional Items:

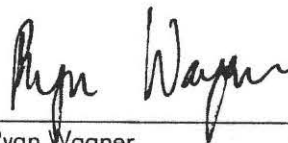
1. Extra on-site VMS support – this fee is for instances when the buyer requests Daktronics on-site presence, but our personnel are unable to work because the VMS sites are not ready. These charges are not assessed in the event of inclement weather or if we underestimate our required on-site time:
 - On-site support labor: \$980 per day
 - On-site support travel: \$1,600 per round trip from South Dakota to job site
2. VMS signal cable (VMS to control equipment cabinet) in excess of the quantity quoted: \$1.35 per linear foot

Daktronics Project Lead Times:

1. VMS technical submittal: 30 days after receipt of Purchase Order.
2. VMS equipment and software delivery: 90 days after receipt of approved submittal.
3. Our VMS installation support and training staff can be on-site with two (2) weeks advance notice from buyer.

Credit Terms

- If a payment bond containing terms reasonably acceptable to Daktronics secures the order, we are generally flexible on terms. These terms may include progress payments or other options depending on credit review and contract structure.
- If the contract is not secured with a payment bond, the payment terms are subject to review of the contract structure and credit of receiver.
- If no prior arrangement has been agreed to, terms are 50% due with order and 50% prior to shipment.
- Refer to standard terms & conditions for charge on late payments.



Ryan Wagner
Project Manager

Please See Attached Documentation:

- SL-2374 Standard Warranty & Limitation of Seller's Liability
SL-2375 Standard Terms & Conditions



=== COVER PAGE ===

TO: _____

FROM: TEAM TITUS

FAX: 5123390000

TEL: 5123391111

COMMENT: TEAM TITUS-SIMPLY THE BEST!

Titus Electrical
Contracting

615 W. Yager Lane
Austin, TX 78753



To: Dusty / Darby	Phone: 968-2068	RE: Sign Installation
Company: CBETA	Fax: 450-6307	Date: 7-18-06
From: Scott Henry	Phone: (512)339-1111	Pages: -1- exc. enr.
	Fax: (512)339-0000	

Dusty / Darby

Here is our PROPOSAL to install the DISPLAY SIGN you spoke of yesterday.

Let me know if you have any questions

Thanks, **Scott**
cell **844-3149**

www.titus-electrical.com



Total Quality Commitment

Titus Electrical Contracting, Inc.

Commercial & Industrial Electrical Contractors



Austin, TX 78753
512-339-1111
fax 339-0000

Electrical Quotation

www.titus-electrical.com

"Total Quality Commitment"®

CUSTOMER:	CASETA	TITUS PROJECT MGR:	SCOT HENRY
CONTACT:	DARBY, DUSTY DEITIKER	TITUS PROJECT NO.:	
ELEC. ENGINEER:		TITUS QUOTE NO.:	C2-071806-A
PROJECT:	Display Sign for Caseta @ Toll Plaza 183A	SUBMIT DATE:	Tuesday, July 18, 2006
LOCATION:	183A	PLAN DATE:	NONE - Email 7/17/06

DESCRIPTION: PROPOSAL FOR ELECTRICAL CONSTRUCTION!

GENTLEMEN;

We are pleased to present the following electrical quotation for your consideration.

SCOPE: Provide Labor & Materials and equipment to install (1) 630lb. LED Display Sign including (FBO) final connection for power. Ethernet wiring to be provided under separate contract.

Our proposal is based on providing 1- Boom Truck and 1- Bucket Truck with operators for (1) 8- hour day, materials and labor to make final connections.

We are assuming the sign is in (1) complete unit which does not require assembly.

Support hangers, brackets, and hardware, as well as ancillary equipment provided by others

BASED ON PLANS DATED	Verbal Request and Email sent to TEC from Dusty 7/17/06				
BASED ON PLAN PG(S)	N/A				
BASED ON SPEC SECTION(S)	N/A				
Fire Proofing	exc	General Cleanup	exc	Data	exc
Hanger Wires	exc	Disposal Facilities	exc	Security	exc
Access Panels	exc	Controls/Interlocks for Other Trades	exc	Television	exc
Formed Concrete	exc	Motor Starters for Other Trades	exc	Demolition	exc
Sawcut, Breakout, And/Or Pourback	exc	Fire Alarm	exc	Temporary Power	exc
Rock Excavation	exc	EMS	exc	Utility Fees (See Below If Yes)	exc
Spoils Removal	exc	Communication	exc	Permit Fees (See Below If Yes)	Y
	exc		exc		exc

BASE ELECTRICAL:	3996.00	
TAX:	.0825	0.00 Excluded unless noted otherwise
PERMIT:		0.00 Included in Base
UTILITY FEES:		0.00 Excluded unless noted otherwise
BOND:	.00	0.00 Excluded unless noted otherwise
TOTAL COST:	3996.00	Excludes alternates - see below

BID ALTERNATES: (unless specifically stated under **COMMENTS** section, tax and bond are not included on alternates)

QTY	DESCRIPTION	AMOUNT	COMMENTS

Conditions of proposal: No inferences have been made beyond the explicit detail of the plans and specifications. Any alteration or deviation from the specifications of this proposal involving extra costs will be executed only upon written orders, and will become an extra charge over and above this quotation. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. All agreement's contingent upon strikes, accidents or delays (including shipping and manufacturing) beyond our control, Owner and/or General Contractor to carry fire, tornado, builders risk, and all other necessary insurance. Owner and/or General Contractor to provide trash disposal facilities. Rock excavation is excluded unless specifically noted above and will only be performed as an extra. Payment terms are strictly net (10) days from date of invoice. All past due moneys accrue interest from due date at 18% annually or the maximum allowed by law, whichever is lower. Further, you may be liable for any legal costs associated with collection of said accounts. This quotation is valid for (10) days from the date of issuance. Any contract issued based upon this quote is subject final acceptance by Titus Electrical Contracting. By accepting this proposal, you agree to the terms stated above.

Accepted:		Date:	
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