

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

RESOLUTION NO. 06-27

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, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, the CTRMA has adopted procurement policies (the "Procurement Policies") that conform to HB 3588, passed by the 78th Texas Legislature, which provide for various methods for procurement of goods and services; and

WHEREAS, in Resolution No. 04-51, dated October 27, 2004, the Board of Directors, in accordance with the provisions of the Procurement Policies, approved the entry into a Comprehensive Development Agreement ("CDA") with Hill Country Constructors for the development and construction of the CTRMA's 183-A Project, with such CDA being fully executed as of November 29, 2004; and

WHEREAS, the CDA includes provisions that allow the CTRMA to authorize and/or require changes in the Development Work (as defined in the CDA) and such changes may include the deletion of projects within the Development Work, with the appropriate adjustments being made to the Development Price (as defined in the CDA); and

WHEREAS, the CTRMA has determined that the opportunity may exist from time to time that some projects within the Development Work may be performed and completed more economically and/or efficiently if deleted from the scope of the Development Work and performed by third party contractors outside the provisions of the CDA, with such third party contractors being determined through the solicitation of bids in accordance with the Procurement Policies, including Section 5 of the Procurement Policies; and

WHEREAS, in order to insure that any such solicitation of bids from third party contractors can be completed as timely and efficiently as possible, the Board of Directors desires to authorize and instruct staff to, consistent with the CDA and the Procurement Policies, issue solicitations for bids for any project that might be appropriately deleted from the Development Work and performed by third party contractors.

NOW THEREFORE, BE IT RESOLVED, that the CTRMA Board of Directors hereby instructs and authorizes staff to determine from time to time any project or projects within the

Development Work that could be more efficiently or economically performed by deletion from the scope of the Development Work and subsequently performed by a third party contractor; and

BE IT FURTHER RESOLVED, that upon staff making such determination of the existence of such project or projects, staff solicitation of bids for such project or projects in accordance with the Procurement Policies is hereby authorized; and


BE IT FURTHER RESOLVED, that staff shall report monthly to the Board on the identification of those projects which are being deleted from the Development Work and for which bids are being solicited; and

BE IT FURTHER RESOLVED, the authorization granted herein by the Board of Directors shall only extend to the solicitation of such bids, and any contract to be entered into pursuant to such solicitation process shall be presented to the Board of Directors for final approval.


Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 31st day of May, 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 06-27
Date Passed 05/31/06