

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

RESOLUTION NO. 07-13

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 CTRMA identified the proposed 183-A turnpike as its initial project in the petition filed under the RMA Rules; and

WHEREAS, the CTRMA has approved various work authorizations for its General Engineering Consultant (the "GEC") to pursue work necessary for the development of 183-A; and

WHEREAS, in Resolution No. 03-46, dated September 24, 2003, the CTRMA Board of Directors approved Work Authorization No. 3.1 concerning project office operations, administrative support, and core staff services related to project development; and

WHEREAS, in Resolutions Nos. 04-44, 05-68, 06-36, and 06-51, the CTRMA Board of Directors approved, respectively, Supplements Nos. 1, 2, 3 and 4 to Work Authorization 3.1; and


WHEREAS, the GEC has requested approval of an additional supplement to Work Authorization No. 3.1; and

WHEREAS, the GEC has represented to the Board of Directors that the work reflected in Supplement No. 5 to Work Authorization No. 3.1, attached hereto as Attachment "A", and the cost thereof is necessary and appropriate to pursue the development of CTRMA turnpike projects.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves Supplement No. 5 to Work Authorization No. 3.1, attached hereto as Attachment "A", provided that any work commenced under the Supplement to Work Authorization No. 3.1 be subject to the Agreement for General Consulting Civil Engineering Services between the CTRMA and the GEC.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 28th day of March, 2007.

Submitted and reviewed by:


Lori Fixley Winland
Acting General Counsel for the Central
Texas Regional Mobility Authority

Approved:


Robert E. Tesch
Chairman, Board of Directors
Resolution Number 07-13
Date Passed 03/28/07

EXHIBIT B**WORK AUTHORIZATION NO. 3.1****SUPPLEMENT NO. 5**

This Supplement No. 5 to Work Authorization No. 3.1 is made as of this 28th day of March, 2007, under the terms and conditions established in the AGREEMENT FOR GENERAL CONSULTING ENGINEERING SERVICES, dated as of September 1, 2003 (the Agreement), between the Central Texas Regional Mobility Authority (Authority) and HNTB Corporation (GEC). The contract award amount of this Work Authorization Supplement is \$167,521.00. This Supplemental Work Authorization is made for the following purpose, consistent with the Services defined in the Agreement:

Environmental Services

The following terms and conditions of Work Authorization No. 3.1 are hereby amended, as follows:

Section A. - Scope of Services

A.1. GEC shall perform the following Services:

Refer to Attachment A – Scope of Work

A.2. The following Services are not included in this Supplement No. 5 to Work Authorization No. 3.1, but shall be provided as Additional Services if authorized or confirmed in writing by the Authority.

N/A

A.3. In conjunction with the performance of the foregoing Services, GEC shall provide the following submittals/deliverables (Documents) to the Authority:

Refer to Attachment A - Scope of Work

Section B. - Schedule

GEC shall perform the Services and deliver the related Documents (if any) according to the following schedule:

Services defined herein shall be complete within 6 months from the date this Supplement No. 5 to Work Authorization No. 3.1 becomes effective.

Section C. - Compensation

C.1. In return for the performance of the foregoing obligations, the Authority shall pay to the GEC the amount not to exceed **\$167,521.00**, based on Attachment B – Fee Estimate. This will increase the not to exceed compensation amount for Work Authorization No. 3.1 from **\$5,904,068.00 to \$6,071,589.00**. Compensation shall be in accordance with the Agreement.

The Authority and the GEC agree that the budget amounts contained in Attachment B-Fee Estimate for the various companies and firms composing the GEC are estimates and that these individual figures may be redistributed and/or adjusted as necessary over the duration of this Work Authorization. The GEC may alter the compensation distribution between tasks or work assignments to be consistent with the Services actually rendered within the total Work Authorization amount. The GEC shall not exceed the maximum amount payable without prior written permission by Owner.

C.2. Compensation for Additional Services (if any) shall be paid by the Authority to the GEC according to the terms of a future Work Authorization.

Section D. - Authority's Responsibilities

The Authority shall perform and/or provide the following in a timely manner so as not to delay the Services of the GEC. Unless otherwise provided in this Work Authorization, the Authority shall bear all costs incident to compliance with the following:

N/A

Section E. - Other Provisions

The parties agree to the following provisions with respect to this specific Work Authorization:

N/A

Except to the extent expressly modified herein, all terms and conditions of the Agreement shall continue in full force and effect.

Authority: Central Texas Regional Mobility Authority

GEC: HNTB Corporation

By: Robert E. Tesch

By: RICHARD L. RIDINGS

Signature: Robert E. Tesch

Signature: Richard L. Ridings

Title: Chairman

Title: VICE PRESIDENT

Date: 4-3-07

Date: 3/28/2007

General Counsel Approval: [Signature]

CENTRAL TEXAS RMA**ATTACHMENT A – SCOPE OF WORK****WORK AUTHORIZATION NO. 3.1 – SUPPLEMENT NO. 5****SERVICES TO BE PROVIDED BY THE GENERAL ENGINEERING CONSULTANT (GEC)**

This scope of work includes the continuation of those environmental professional services and associated deliverables required by the CTRMA for March 2007 through September 2007.

In summary, this scope will entail those services required to assist the Central Texas Regional Mobility Authority (CTRMA) in: providing a re-evaluation, including public involvement, of the Final Environmental Impact Statement (FEIS) of the 183A toll road from RM 620 to approximately three miles north of the City of Leander.

The re-evaluation will focus on design changes at the proposed intersection of 183A and CR 274. This intersection was not previously addressed in the FEIS or in the subsequent re-evaluation.

The scope of the re-evaluation is based on the following assumptions:

Assumptions

- The projected average daily traffic (ADT) of 183A is less than 140,000, therefore a qualitative MSAT analysis will be prepared for the re-evaluation.
- Based upon guidance from TxDOT Environmental Affairs Division (ENV) and Federal Highway Administration (FHWA), the re-evaluation, including any direct, indirect, or cumulative impacts analysis, will only focus on the proposed interchange of 183A and CR 274.
- The re-evaluation will assess three possible location options of the CR 274 interchange.
- Any request or requirement to address impacts or design changes other than those associated with the proposed intersection of 183A and CR 274 would be considered out of scope and a supplemental work authorization would be required.
- Agency review times will be coordinated by TxDOT-ENV.

FEIS Re-evaluation Tasks**Data Collection**

The Engineer will review the FEIS and previous re-evaluation for 183A for the history of the project, consistency with purpose and need, and design changes. The Engineer will also perform data collection and site reconnaissance visits within the existing ROW, upon notice to proceed to

supplement data needed to complete the re-evaluation. The Engineer will obtain or update periodically publicly available information and perform site investigation including:

- Locations of public buildings, schools, churches, parks, etc.
- Historic-age structures
- Aerial/Infrared photography, if available.
- National Wetland Inventory Maps.
- Site Review for presence of non-inventoried wetlands.
- County Soil Survey Maps.
- TCEQ & EPA Hazardous Materials Database Information.
- FEMA 100-year floodplains.
- Vegetation Information.
- Threatened and Endangered Species Information.
- Noise Receiver Locations.

Preparation of Environmental Document

The Engineer shall prepare environmental documentation of the level required by proposed improvements, utilizing the appropriate outline in accordance with; TxDOT's Environmental Manual, Title 23, Parts 771 and 772, FHWA's Technical Advisory T6640.8A, and TxDOT's 1996 Noise Guidelines and 1999 Air Quality Guidelines.

The Engineer will include in the document a discussion of the history of the project, the purpose and need, and the design change (the interchange at 183A and CR 274) being assessed. The document will also include an existing environment discussion, direct effects discussion, and indirect, and cumulative impacts analysis as described below.

Existing Environment

Through data collection and field investigation, the Engineer will prepare a description of the affected environment to serve as the basis for determining the environmental consequences of the proposed 183A/CR 274 interchange. This description will include land use, socio-economics (including identification of minority, low income, and limited English proficient (LEP) populations), farmlands, soils, noise, air quality, surface water, groundwater, wetlands, vegetation, wildlife habitat, threatened and endangered species, cultural resources, Section 4(f) properties, and hazardous materials sites.

Direct Effects

With the information compiled on the affected environment and design and traffic data, the Engineer will determine the environmental consequences, or direct effects, of the proposed 183A/CR 274 interchange. The direct effects will be determined on the resource categories analyzed for the Existing Environment, including historic properties. The direct effects section will address potential noise and air quality impacts, including qualitative analysis of Mobile Source Air Toxics. The noise analysis will include the development of noise contours and a generalized assessment of impacts and a detailed assessment and abatement analysis for the design change assessed in the re-evaluation. The MSAT analysis will be a qualitative analysis based upon traffic projections being below the quantitative MSAT criteria threshold of 140,000

ADT. The qualitative analysis will be based upon the FHWA *Interim Guidance on Air Toxic Analysis in NEPA Documents, February 3, 2006*.

Indirect Cumulative Impact (ICI) Analysis

Consistent with direction from TxDOT and FHWA, the Engineer will only assess the indirect and cumulative impacts of the 183A/CR 274 interchange location proposed in the re-evaluation. The ICI analysis will be limited to those issues pertaining to the interchange. The Engineer will review changes attributable to past roadway improvements in the area in order to project indirect effects of the proposed improvements in the re-evaluation. The Engineer will prepare the ICI analysis based upon the eight-step approach in TxDOT's *Interim Guidance on Preparing Indirect and Cumulative Impact Analyses*, dated December 2006. The *National Cooperative Highway Research Program Report 466 (NCHRP 466)* will also be used as guidance in this analysis.

Consistent with TxDOT's Interim Guidance and by direction from TxDOT and FHWA, the Engineer will perform the ICI analysis on those resources which are (1) impacted only by the proposed 183A/CR 274 interchange and (2) are currently in poor and/or declining health.

Section 106 Consultation

The Engineer will be available to CTRMA for consultation during the Section 106 process.

If, after evaluation, and consultation under Section 106, TxDOT and FHWA determines that project activities trigger adverse effects to historic properties located in the APE, the Engineer shall in consultation with CTRMA and TxDOT, and under a supplemental agreement, perform the following services as required:

- Develop a Memorandum of Agreement between FHWA, TxDOT, ACHP, TSHPO and other consulting parties as defined by TxDOT;
- Develop mitigation strategies for adverse impacts
- Conduct approved mitigation activities; and
- Section 4(f) activities.

Public Involvement

The Engineer will prepare and present one (1) public hearing in support of the re-evaluation. The Engineer will attend the public hearing for the purpose of providing informational materials regarding the re-evaluation, and for gathering comments from the community-at-large, and addressing local concerns regarding the proposed 183A/CR 274 interchange. The Engineer will secure the sites for the public hearing. Site locations will be submitted to CTRMA for approval by the State prior to booking the rooms.

Additionally, the Engineer will make arrangements for a court reporter to be present at the public meeting.

The Engineer will prepare and mail meeting notices to identified stakeholders in the database, and develop and publish one (1) legal notice and one (1) display ad in preparation for the public hearing. The notices will be placed in previously identified local paper(s) 30 days and 10 days before the public hearing. Additionally, the Engineer will prepare an agenda, comment cards (up

to 500), exhibit boards (up to 2), and up to four (one page, double-sided) handouts for public use. All project boards will be printed in English, with an additional handout of the boards translated in Spanish. A Public Hearing Comment and Response Report will be prepared after the hearing to record public comment. The Engineer will respond to up to 100 comments per public hearing. Project communication materials will be approved by the State before use.

Project Management and Coordination

The Engineer shall manage all activities associated with the project. The Engineer shall secure resources necessary to produce the project deliverables and meet the project schedule. All communications associated with the project will be directly channeled through the Engineer for distribution to the project team as appropriate. The Engineer shall designate one Texas Registered Professional Engineer, Laurence W. Shumway, P.E., as Project Manager to be responsible throughout the project for project management and all communications, including billing, with CTRMA and TxDOT's Project Manager.

The Engineer will be required to meet with the CTRMA and designated TxDOT project manager and other TxDOT representatives, as necessary to report on progress and to ensure all components of the project are proceeding in compliance with the scope of services and according to the project schedule. The purpose of these meetings is to evaluate the project status, determine necessary adjustments to the project work plan and schedule, plan upcoming events and to discuss and resolve project technical issues. The Engineer will prepare minutes of each meeting and circulate to all attendees.

The environmental work on this project may be inspected by CTRMA at any time in the offices of HNTB Corporation at 301 Congress Avenue, Suite 600, Austin, Texas, 78701.

General Administration

Perform general administration duties required to maintain the project. These duties include:

- Preparation of monthly progress reports. Monthly progress reports will include:
 - Activities during the reporting period.
 - Activities planned for the following months.
 - Project action item and project schedule maintenance
 - Overall status of project.
 - Pending issues that need short-term attention.
- Record keeping and file management
- Data management and file transfers for required elements of the project.
- Quality Control/Quality Assurance

Exclusions

The following tasks are specifically excluded from the preparation of environmental documents and not included in this work authorization, and would be scoped and detailed at a later date, as necessary:

- ICI analysis of the entire FEIS limits;
- Endangered species coordination and/or surveys;
- Biological Assessments;

- USACE 404 delineations and permit coordination;
- Archeological survey;
- Historic/Archeological coordination involving National Register Testing and/or Data Recovery-level excavation or mitigation or Section 106 Coordination except as specifically noted and included above;
- Hazardous materials Phase II Environmental Site Assessment;
- Additional documentation services requested as a result of a change in environmental regulations or TxDOT/FHWA documentation standards from those in practice and acceptable at the time of approval of this Work Authorization;
- Work associated with outfalls outside the project ROW after the notice to proceed is received;
- Coordination with TCEQ.

DELIVERABLES

The Engineer will prepare a draft re-evaluation for CTRMA for review by TxDOT-ENV (10 copies will be provided). Upon receipt of comments from TxDOT-ENV, the Engineer will prepare a second draft for submittal to FHWA (10 copies will be provided). A third and final draft will be prepared to address comments received as a result of FHWA review (20 copies will be provided to CTRMA, TxDOT-ENV, and FHWA). An updated re-evaluation will be prepared following the Public Hearing, if determined necessary based on public comment. Should a post-meeting update be necessary, the Engineer will respond to up to two sets of review comments.

Deliverables will consist of the following:

- Twenty (20) draft copies, twenty (20) final copies of the re-evaluation document
- One (1) Historic Resource Research Design
- One (1) Section 106 Public Involvement Plan
- One (1) Public Hearing
- One (1) Court Reporter
- One (1) Public Hearing transcript
- One (1) legal notice
- One (1) display ad
- One (1) Public Hearing agenda
- Up to five hundred (500) Comment Cards for the hearing
- Up to two (2) exhibit boards for the hearing
- One (1) Handout for the hearing
- One (1) Hearing notice/letter for mail out, multiple copies as required
- One (1) electronic and one (1) hard copy of the Public Hearing Summary Report