

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

RESOLUTION NO. 08-11

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, during its Regular Session the 80th Texas Legislature passed Senate Bill 792 relating to the development of certain types of transportation projects, including toll projects within the boundaries of local toll project entities; and

WHEREAS, a portion of Senate Bill 792 codified as Section 228.0111 of the Texas Transportation Code ("Section 228.0111") sets forth the requirements for the development of market valuations (a "Market Valuation") for such proposed toll projects; and

WHEREAS, the Market Valuation process includes the negotiation and agreement between a local toll project entity and the Texas Department of Transportation ("TxDOT") of the business terms and conditions to be associated with the development, construction and operation of a proposed toll project; and

WHEREAS, such business terms and conditions include initial toll rates, toll rate escalation methodology, a traffic and revenue study using agreed upon assumptions, an agreed upon project scope, market research, estimated costs to finance, construct, maintain and operate the project, and other information determined appropriate by the local toll project entity and TxDOT ("Business Terms"); and

WHEREAS, the CTRMA is a local toll project entity under the definition of Section 228.0111 and there exists several proposed toll projects within the CTRMA's boundaries (the "Proposed Toll Projects"); and

WHEREAS, the CTRMA indicated to TxDOT by a letter dated December 17, 2007 that it stood ready to move forward with the development of Market Valuations for each of the Proposed Toll Projects and the CTRMA and TxDOT are prepared to undertake the Market Valuation process for each of the Proposed Toll Projects; and

WHEREAS, a Market Valuation is to be developed by a third party (the "Market Valuation Developer") based upon Business Terms that have been agreed upon by a local toll project entity and TxDOT; and

WHEREAS, the Market Valuation Developer may be a third party under contract with either the local toll project entity or TxDOT and it has been determined that the CTRMA should contract with a third party to serve as the Market Valuation Developer in relation to the Proposed Toll Projects; and

WHEREAS, the CTRMA has adopted procurement policies (the "Procurement Policies") that provide for various methods for procurement of goods and services; and

WHEREAS, it is necessary and desirable that the CTRMA develop and issue a Request for Qualifications ("RFQ") in accordance with the Procurement Policies soliciting an entity to serve as the Market Valuation Developer for the Market Valuation process related to each of the Proposed Toll Projects.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby authorizes the Executive Director and staff to develop and issue an RFQ to solicit statements of qualifications from entities qualified and interested in serving as the Market Valuation Developer for the Market Valuation process related to each of the Proposed Toll Projects; and

BE IT FURTHER RESOLVED, that the Executive Director shall implement a process to review the responses to the RFQ and develop recommendations for the Board of Directors as to the best qualified entity to serve as the Market Valuation Developer; and

BE IT FURTHER RESOLVED, the authorization granted herein by the Board of Directors shall only extend to the preparation and issuance of the RFQ, and recommendations based on the review of the responses to the RFQ shall be presented by staff or the Executive Director to the Board of Directors for final approval.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of February, 2008.

Submitted and reviewed by:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 08-11
Date Passed 02/27/08