

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

RESOLUTION NO. 07-70

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, Section 370.305 of the Texas Transportation Code authorizes regional mobility authorities to develop projects through the use of comprehensive development agreements ("CDAs"), in addition to development of projects through more traditional or conventional project delivery methods, all in accordance with the provisions of the CTRMA Policies and Procedures Governing Procurements of Goods and Services (the "Procurement Policies"); and

WHEREAS, in a minute order approved on August 25, 2005, the Texas Transportation Commission authorized the CTRMA to pursue the development of the 290 East Turnpike Project (the "Project"); and

WHEREAS, the Procurement Policies set forth the process by which the CTRMA may solicit proposals relating to a CDA through the issuance of a request for qualifications ("RFQ"); and

WHEREAS, in Resolution 05-77, dated October 26, 2005, the CTRMA Board of Directors authorized the issuance of an RFQ for the development of the Project and on February 22, 2006, under Resolution No. 06-12, the Board named three proposers to a short-list of qualified teams for participation in the next phase of the CDA process; and

WHEREAS, prior to moving to the next phase of the CDA process involving the issuance of a Request for Detailed Proposals ("RFDP") from each of the short-listed teams, the CTRMA delayed the procurement process for the Project due to the Capital Area Metropolitan Planning Organization developing new amendments to the Transportation Improvement Program that included the Project, as well as due to delays in the development and finalization of the environmental documents related to the Project; and

WHEREAS, subsequent to the naming of the original short-listed teams, two of the members of the short-listed teams withdrew from the CDA procurement process for the Project; and

WHEREAS, in Resolution 07-63, dated October 3, 2007, the CTRMA Board of Directors authorized the issuance of a Supplemental RFQ (the "Supplemental RFQ") to solicit additional proposals for the development of the Project through a CDA to insure the Project is constructed

on the best terms and cost available, and to better determine if the CDA process is the optimum project delivery method for the Project; and

WHEREAS, the Supplemental RFQ was issued October 9, 2007 with one response being received on November 16, 2007 and reviewed in accordance with the Supplemental RFQ; and

WHEREAS, CTRMA staff, in further consideration of the status and timing of the Project and its related environmental documentation, has determined that development of the Project through the CDA process is no longer the most efficient and effective project delivery method for the Project; and

WHEREAS, the Board of Directors has determined that implementing the Project through the conventional design-bid-build method is the most efficient and effective project delivery method and desires that staff initiate the process for procuring such services by drafting and issuing the appropriate solicitation documents to solicit proposals and subsequent bids from entities qualified and interested in designing and constructing the Project.


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby authorizes the Executive Director and staff to develop and issue the appropriate solicitation documents to solicit proposals and subsequent bids from entities qualified and interested in designing and constructing the Project; and

BE IT FURTHER RESOLVED, that the Executive Director shall implement a process to review the responses to various solicitation of proposals and subsequent bids and develop recommendations for the Board of Directors as to the best qualified entities to design and construct the Project; and

BE IT FURTHER RESOLVED, the authorization granted herein by the Board of Directors shall only extend to the solicitation of such proposals and subsequent bids, and recommendations based on the review of the responses to the solicitation of proposals and subsequent bids shall be presented by staff to the Board of Directors for final approval.


Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 7th day of December, 2007.

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 07-70
Date Passed 12/7/07