

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

RESOLUTION NO. 03-33

WHEREAS, the Texas Transportation Code authorizes the creation of a regional mobility authority for the purposes of constructing, maintaining, and operating one or more turnpike projects in a region of this state; and

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 46 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, via Resolution 03-13 the CTRMA Board of Directors adopted Policies and Procedures Governing Procurement of Goods and Services by the CTRMA (the "Procurement Policies"); and

WHEREAS, Section 9 of the Procurement Policies provides for the receipt and processing by the CTRMA of unsolicited proposals for private participation in a turnpike project or the provision of services related to a turnpike project; and

WHEREAS, on or about February 28, 2003, the CTRMA received from Parsons Brinckerhoff a detailed unsolicited proposal for the provision of services related to the proposed US 183-A turnpike project; and

WHEREAS, pursuant to Section 9.2(b) of the Procurement Policies staff reviewed the proposal and concluded that it is related to existing or planned transportation facilities and that it furthered state, regional and local transportation plans, programs, policies and goals; and

WHEREAS, based on such conclusion, the staff recommended to the Board of Directors that the CTRMA should further evaluate the proposal and, consistent with the Procurement Policies, should invite the submission of competing proposals; and

WHEREAS, the Board of Directors, in Resolution No. 03-21, expressed its desire to further evaluate the unsolicited proposal and to solicit the submission of competing proposals in accordance with the Procurement Policies;

WHEREAS, a "Notice of Receipt of Unsolicited Proposal and Request for Competing Proposals" was published in the *Texas Register* on April 11, 2003; and

WHEREAS, a pre-proposal conference was held for interested parties on April 22, 2003; and

WHEREAS, a competing proposal was received from HNTB on May 27, 2003; and

WHEREAS, since initially receiving the unsolicited proposal the CTRMA has: (i) received a grant of \$12.7 million for the development of US 183-A from TxDOT; (ii) initiated and is near completion of the process for selecting a firm to provide general engineering consulting services; and (iii) had its statutory authority to pursue development of transportation projects (and the various means by which to do so) clarified through the enactment of HB 3588; and

WHEREAS, on June 25, 2003, the Planning Committee interviewed the two competing firms concerning the impacts of these developments on their proposals; and

WHEREAS, based on these recent developments and the interviews of the proposers, the Planning Committee determined and has recommended to the full Board that it is not in the best interest of the CTRMA to further consider and process the unsolicited and competing proposals for services related to US 183-A;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA concurs with the recommendation of the Planning Committee and will not further consider or process the unsolicited and competing proposal submitted by Parsons Brinckerhoff and HNTB, respectively, for services related to the development of US 183-A; and

BE IT FURTHER RESOLVED, that Board expresses its appreciation to Parsons Brinckerhoff and HNTB for the initiative they demonstrated in submitting their proposals and the professionalism they demonstrated throughout the process.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 15th day of July, 2003.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 03-33
Date Passed 7/15/03