

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

**RESOLUTION NO. 05-27**

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, HB 3588, passed by the 78<sup>th</sup> Texas Legislature, authorizes regional mobility authorities to develop projects through the use of comprehensive development agreements ("CDAs"); and

WHEREAS, the CTRMA has entered into a CDA for the development of US 183-A with Hill Country Constructors; and

WHEREAS, the GEC previously developed a scope of work and proposed budget (the "CDA Work Authorization") for the work necessary to oversee the design and construction activities performed under the CDA; and

WHEREAS, in Resolution No. 04-52, dated October 27, 2004, the Board of Directors approved the scope of work contained in the CDA Work Authorization subject to: (i) the GEC presenting, on a quarterly basis, a report on work performed to date under the CDA Work Authorization; and (ii) receiving Board approval of work to be performed during the next quarter; and

WHEREAS, the scope of work for the CDA Work Authorization includes providing project controls utilizing an Electronic Document Management System (EDMS) at a cost of approximately \$480,000; and

WHEREAS, the EDMS system retained by the GEC is Proliance by Meridian Systems; and

WHEREAS, the GEC has represented that the CTRMA can save approximately \$100,000 by (a) the GEC subscribing and hosting the same EDMS system rather than subcontracting with Meridian Systems; and (b) the GEC charging a combination of hourly rates with multiplier and commercial pricing for the subscription and hosting; and

WHEREAS, the Agreement for General Consulting Civil Engineering Services ("the Master Agreement") dated September 15, 2003, does not provide for compensation based on commercial pricing; and

WHEREAS, Federal Acquisition Regulations (FAR) allow for payment of direct auditable expenditures and commercial pricing of computer software products; and

WHEREAS, it is anticipated that commercial pricing subscription and hosting fees will total approximately \$106,000.00; and

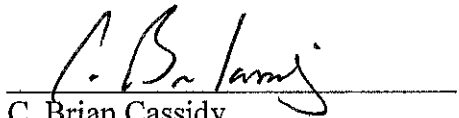
WHEREAS, it will be to the advantage of CTRMA to allow such pricing and compensation for these services to save \$100,000 in fees;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby approves the amendment to Section 4 of the Master Agreement, in the form attached hereto as Attachment "A", to allow commercial pricing for hosting and subscription services; and

BE IT FURTHER RESOLVED, that the GEC budget as reflected in the CDA Work Authorization be reduced from \$14,178,000 to \$14,078,000, recognizing the savings of \$100,000.

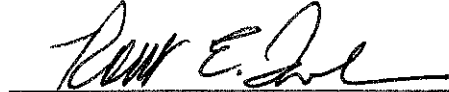
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 30<sup>th</sup> day of March 2005.

Submitted and reviewed by:



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

Approved:



Robert E. Tesch  
Chairman, Board of Directors  
Resolution Number 05-27  
Date Passed 03/30/05

**First Amendment to the Agreement  
for General Engineering Consulting Services**

Pursuant to the CTRMA Board of Directors, reflected in Resolution No. 05-27, Section 4 of the Agreement is amended to read as follows:

n. **Commercial Pricing.** Federal Acquisition Regulations allow for payment of direct auditable expenditures and commercial pricing of certain products. The GEC may engage in commercial pricing when legally permissible, not in contravention of federal regulations, and specifically approved by the Board of Directors through formal Board action.

This First Amendment is effective the \_\_\_\_ of March, 2005.

By their signatures below, the parties to the Agreement evidence their agreement to this amendment set forth above.

CENTRAL TEXAS REGIONAL  
MOBILITY AUTHORITY

HNTB CORPORATION

\_\_\_\_\_  
Robert E. Tesch  
Chairman, Board of Directors  
Date \_\_\_\_\_

\_\_\_\_\_  
Richard L. Ridings  
Vice-President  
Date \_\_\_\_\_