

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

RESOLUTION NO. 23-024

**APPROVING AN AMENDMENT TO THE COMPLETION CONTRACT WITH ROY
JORGENSEN ASSOCIATES, INC. FOR PERFORMANCE BASED MAINTENANCE
SERVICES ON MOBILITY AUTHORITY ROADWAYS AND RELATED FACILITIES**

WHEREAS, by Resolution No. 20-026 dated April 29, 2020, the Board approved a contract with DBi Services, LLC (“DBi”) for performance-based maintenance services on Mobility Authority roadways and related Texas Department of Transportation (“TxDOT”) facilities (the “Contract”); and

WHEREAS, on October 22, 2021, DBi ceased maintenance operations, and on October 23, 2021, the Mobility Authority issued a notice of default to DBi for failure to perform work in accordance with the DBi contract; and

WHEREAS, the DBi contract included certain payment and performance bonds issued by Berkshire Hathaway Specialty Insurance Company (“Surety”) to insure the performance of the maintenance services under the terms of the Contract in the event of a default by DBi; and

WHEREAS, the Surety proposed a completion contractor to take over the original performance-based maintenance services contract through the term of the performance bond period and awarded the completion contract to Roy Jorgensen Associates, Inc. (“Completion Contract”) through June 30, 2023; and

WHEREAS, the Completion Contract provides for an initial 5-year term (60 months), terminating June 30, 2028, with two additional 5-year renewal options to extend the initial term to a maximum of 15 years (180 months); and

WHEREAS, the Executive Director and Roy Jorgensen Associates, Inc. have negotiated a proposed amendment to the Completion Contract, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Executive Director recommends the execution of the proposed amendment extending the completion contract through June 30, 2028 in an amount not to exceed \$78,430,520.52, including for performance-based maintenance services on all existing and future Authority roadways and adjacent Texas Department of Transportation (TxDOT) frontage roads/general purpose lanes from right-of-way (ROW) to ROW; and

WHEREAS, the Executive Director requests that the Board authorize an additional \$1,000,000.00 as contingency to be implemented as necessary through change orders issued by the Executive Director.

NOW THEREFORE, BE IT RESOLVED that the Board hereby authorizes the Executive Director to execute an amendment with Roy Jorgensen Associates, Inc. extending the Completion Contract through June 30, 2028 in an amount not to exceed \$79,430,520.52, for performance-based maintenance services on all existing and future Authority roadways and adjacent TxDOT frontage roads/general purpose lanes and adjacent right-of-way, in the form or substantially the same form attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the Board authorizes \$1,000,000.00 in contingency funds to be used at the Executive Director's discretion for change orders necessary for the effective implementation of the performance-based maintenance amendment.

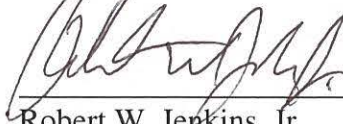
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26th day of June 2023.

Submitted and reviewed by:

Approved:



James M. Bass, Executive Director



Robert W. Jenkins, Jr.
Chairman, Board of Directors

Exhibit A