



**CENTRAL TEXAS
Regional Mobility Authority**

Special Called Meeting of the Board of Directors

9:00 a.m.
Wednesday, April 11, 2012

Large Conference Room, Suite 650
301 Congress Avenue
Austin, Texas 78701

AGENDA

No action on the following:

1. Welcome and opening remarks by the Chairman and members of the Board of Directors.
2. Opportunity for Public Comment – See ***Notes*** at the end of this agenda.
3. Executive Director's report.
 - A. Project update on the MoPac Improvement Project, and decisions pending before the Capital Area Metropolitan Planning Organization (CAMPO) relating to project financing.

Discuss, consider, and take appropriate action on the following:

4. Authorize the Executive Director to file one or more requests for financial assistance with the Texas Department of Transportation for funding related to development of the MoPac Improvement Project, and to negotiate and execute any agreements required to receive financial assistance from the Texas Department of Transportation.
5. Authorize the issuance of a request for qualifications for a design-build contract to develop the MoPac Improvement Project, and designate Wes Burford, P.E., Director of Engineering, as the Authority's representative for that procurement process and for the duration of the work on the project.

Executive Session

Under Chapter 551 of the Texas Government Code, the Board may recess into a closed meeting (an executive session) to deliberate any item on this agenda if the Chairman announces the item will be deliberated in executive session and identifies the section or sections of Chapter 551 that authorize meeting in executive session. A final action, decision, or vote on a matter deliberated in executive session will be made only after the Board reconvenes in an open meeting.

The Board may deliberate the following items in executive session if announced by the Chairman:

6. Discuss legal issues relating to procurement and financing for the MoPac Improvement Project, as authorized by §551.071 (Consultation With Attorney).

Reconvene in Open Session following Executive Session

Discuss, consider, and take appropriate action on the following:

7. Adjourn Meeting.

NOTES

Opportunity for Public Comment. At the beginning of the meeting, the Board provides a period of up to one hour for public comment on any matter subject to the Mobility Authority's jurisdiction. Each speaker is allowed a maximum of three minutes. A person who wishes to address the Board should sign the speaker registration sheet before the beginning of the public comment period. If a speaker's topic is not listed on this agenda, the Board may not deliberate the topic or question the speaker during the open comment period, but may direct staff to investigate the subject further or propose that an item be placed on a subsequent agenda for deliberation and possible action by the Board. The Board may not deliberate or act on an item that is not listed on this agenda.

Public Comment on Agenda Items. A member of the public may offer comments on a specific agenda item in open session if he or she signs the speaker registration sheet for that item before the Board's consideration of the item. The Chairman may limit the amount of time allowed for each speaker. Public comment unrelated to a specific agenda item must be offered during the open comment period.

Meeting Procedures. The order and numbering of agenda items are for ease of reference only. After the meeting is convened, the Chairman may rearrange the order in which agenda items are considered. The Board may consider items listed on the agenda in any order and at any time during the meeting.

Participation by Telephone Conference Call. One or more members of the Board of Directors may participate in this meeting through a telephone conference call, as authorized by Sec. 370.262, Texas Transportation Code (*see below*). Under that law, each part of the telephone conference call meeting law must be open to the public, shall be audible to the public at the meeting location, and will be tape-recorded. On conclusion of the meeting, the tape recording of the meeting will be made available to the public.

Sec. 370.262. MEETINGS BY TELEPHONE CONFERENCE CALL.

(a) Chapter 551, Government Code, does not prohibit any open or closed meeting of the board, a committee of the board, or the staff, or any combination of the board or staff, from being held by telephone conference call. The board may hold an open or closed meeting by telephone conference call subject to the requirements of Sections 551.125(c)-(f), Government Code, but is not subject to the requirements of Subsection (b) of that section.

(b) A telephone conference call meeting is subject to the notice requirements applicable to other meetings.

(c) Notice of a telephone conference call meeting that by law must be open to the public must specify the location of the meeting. The location must be a conference room of the authority or other facility in a county of the authority that is accessible to the public.

(d) Each part of the telephone conference call meeting that by law must be open to the public shall be audible to the public at the location specified in the notice and shall be tape-recorded or documented by written minutes. On conclusion of the meeting, the tape recording or the written minutes of the meeting shall be made available to the public.

Sec. 551.125. OTHER GOVERNMENTAL BODY. (a) Except as otherwise provided by this subchapter, this chapter does not prohibit a governmental body from holding an open or closed meeting by telephone conference call.

~~(b) A meeting held by telephone conference call may be held only if:~~

- ~~(1) an emergency or public necessity exists within the meaning of Section 551.045 of this chapter; and~~
- ~~(2) the convening at one location of a quorum of the governmental body is difficult or impossible; or~~
- ~~(3) the meeting is held by an advisory board.~~

(c) The telephone conference call meeting is subject to the notice requirements applicable to other meetings.

(d) The notice of the telephone conference call meeting must specify as the location of the meeting the location where meetings of the governmental body are usually held.

(e) Each part of the telephone conference call meeting that is required to be open to the public shall be audible to the public at the location specified in the notice of the meeting as the location of the meeting and shall be tape-recorded. The tape recording shall be made available to the public.

(f) The location designated in the notice as the location of the meeting shall provide two-way communication during the entire telephone conference call meeting and the identification of each party to the telephone conference shall be clearly stated prior to speaking.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as an interpreter for persons who are deaf or hearing impaired, and readers of large print or Braille, are requested to contact Jennifer Guernica at (512) 996-9778 at least two working days before the meeting so that appropriate arrangements can be made.



CENTRAL TEXAS
Regional Mobility Authority

AGENDA ITEM #1 SUMMARY

Welcome, Opening Remarks and Board
Member Comments.

Welcome, Opening Remarks and Board Member Comments

Board Action Required: NO



CENTRAL TEXAS
Regional Mobility Authority

AGENDA ITEM #2 SUMMARY

Open Comment Period for Public Comment.
Public Comment on Agenda Items.

Open Comment Period for Public Comment - At the beginning of the meeting, the Board provides a period of up to one hour for public comment on any matter subject to CTRMA's jurisdiction. Each speaker is allowed a maximum of three minutes. A person who wishes to address the Board should sign the speaker registration sheet before the beginning of the open comment period. If the speaker's topic is not listed on this agenda, the Board may not deliberate the topic or question the speaker during the open comment period, but may direct staff to investigate the subject further or propose that an item be placed on a subsequent agenda for deliberation and possible action by the Board. The Board may not act on an item that is not listed on this agenda.

Public Comment on Agenda Items - A member of the public may offer comments on a specific agenda item in open session if he or she signs the speaker registration sheet for that item before the Board's consideration of the item. The Chairman may limit the amount of time allowed for each speaker. Public comment unrelated to a specific agenda item must be offered during the open comment period.

Board Action: NO



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #3 SUMMARY

Executive Director's Report.
Presentation of Executive Director's Report.

Department: Administrative

Associated Costs: None

Funding Source: None

Board Action Required: No

Description of Matter:

The Executive Director's Report is attached for review and reference and includes the following:

- A. Project update on the MoPac Improvement Project, and decisions pending before the Capital Area Metropolitan Planning Organization (CAMPO) relating to project financing.

Contact for further information:

Mike Heiligenstein, Executive Director



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #4 SUMMARY

Authorize the Executive Director to file one or more requests for financial assistance with the Texas Department of Transportation for funding related to development of the MoPac Improvement Project, and to negotiate and execute any agreements required to receive financial assistance from the Texas Department of Transportation.

Strategic Plan Relevance: Regional Mobility Initiative as it relates to the development of a planning and financing process that results in the creation of a short and long-term Capital Improvement Program.

Department: Engineering / Finance

Associated Costs: None

Funding Source: Not applicable

Board Action Required: Yes

Description of Matter: Per the 2012 *Unified Transportation Program* document approved by the Texas Transportation Commission on May 26, 2011, \$69.5 million of Category 2 - Metropolitan Corridor Projects funding was programmed for the Mopac Improvement Project from FM 734 (Parmer Lane) to the Cesar Chavez Street Interchange.

The submission of a Toll Equity Request to the Texas Department of Transportation will initiate the process to allow those funds to be utilized specifically by the Mobility Authority for the development and construction of the Project. Upon the approval of the Financial Assistance Request by the Texas Transportation Commission, a Financial Assistance Agreement between the Mobility Authority and TxDOT will be executed which will define the terms and conditions related to the use of said funds.

Reference documentation: Draft Resolution

Contact for further information: Wesley M. Burford, P.E., Director of Engineering

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

RESOLUTION NO. 12-___

**AUTHORIZE THE EXECUTIVE DIRECTOR TO FILE ONE OR MORE REQUESTS
FOR FINANCIAL ASSISTANCE WITH THE TEXAS DEPARTMENT OF
TRANSPORTATION FOR FUNDING RELATED TO DEVELOPMENT OF THE
MOPAC IMPROVEMENT PROJECT, AND TO NEGOTIATE ANY AGREEMENTS
REQUIRED TO RECEIVE FINANCIAL ASSISTANCE FROM THE TEXAS
DEPARTMENT OF TRANSPORTATION**

WHEREAS, after finding the Central Texas Regional Mobility Authority (the "Mobility Authority") satisfied all the requirements of Section 228.0111, Transportation Code, the Board of Directors on September 29, 2010, enacted Resolution No. 10-86 to exercise the Mobility Authority's option to develop the MoPac Improvement Project (the "Project"); and

WHEREAS, financial assistance for development of the Project may be available from the Texas Department of Transportation; and

WHEREAS, the Board of Directors has approved the Project and believes that obtaining financial assistance to develop the Project may reduce the cost and time required for the Mobility Authority to complete the Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors authorizes the Executive Director to file one or more requests for financial assistance with the Texas Department of Transportation for funding related to development of the MoPac Improvement Project, and to negotiate the terms and conditions of any agreements with the Texas Department of Transportation that may be required to receive financial assistance for the Project; and

BE IT FURTHER RESOLVED that any proposed financial assistance agreements with the Texas Department of Transportation must be approved by the Board of Directors.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 11th day of April, 2012.

Submitted and reviewed by:

Approved:

Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority

Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number: 12-___
Date Passed: 4/11/2012



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #5 SUMMARY

Authorize the issuance of a request for qualifications for a design-build contract to develop the MoPac Improvement Project, and designate Wes Burford, P.E., Director of Engineering, as the Authority's representative for that procurement process and for the duration of the work on the project.

Strategic Plan Relevance: To increase Regional Mobility

Department: Engineering

Associated Costs: None

Funding Source: General Fund with reimbursement through an existing Financial Assistance Agreement with TxDOT to cover preliminary expenses for the Mopac Improvement Project

Board Action Required: Yes

Description of Matter: The issuance of a Request for Qualifications is the first step in the procurement of a design-build contractor for the Mopac Improvement Project.

Reference documentation: None

Contact for further information: Wesley M. Burford, P.E., Director of Engineering

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

RESOLUTION NO. 12-___

**AUTHORIZE THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS FOR A
DESIGN-BUILD CONTRACT TO DEVELOP THE MOPAC IMPROVEMENT
PROJECT, AND DESIGNATE WES BURFORD, P.E., DIRECTOR OF ENGINEERING,
AS THE AUTHORITY'S REPRESENTATIVE FOR THAT PROCUREMENT PROCESS
AND FOR THE DURATION OF THE WORK ON THE PROJECT.**

WHEREAS, after finding the Central Texas Regional Mobility Authority (the "Mobility Authority") satisfied all the requirements of Section 228.0111, Transportation Code, the Board of Directors on September 29, 2010, enacted Resolution No. 10-86 to exercise the Mobility Authority's option to develop the MoPac Improvement Project (the "Project"); and

WHEREAS, Subchapter K, Chapter 370, Transportation Code, authorizes the Mobility Authority to use a design-build method to develop the Project; and

WHEREAS, Subchapter A, Article 7, Chapter 4 of the Mobility Authority Policy Code implements applicable state law and establishes the process the Mobility Authority will use to solicit proposals for a design-build contract to develop the Project; and

WHEREAS, the Board of Directors desires to initiate that process by authorizing issuance of a request for qualifications (an "RFQ") to develop the Project using the design-build method.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes and directs the Executive Director to issue an RFQ to develop the Project using the design-build method authorized by state law; and

BE IT FURTHER RESOLVED, that pursuant to Section 370.403, Transportation Code, the Board of Directors hereby designates Wes Burford, P.E., the Director of Engineering for the Mobility Authority, to act as the Mobility Authority's representative for the procurement process and for the duration of the work on the Project; and

BE IT FURTHER RESOLVED, that the Board of Directors hereby authorizes and directs the Executive Director to take such other actions as may be necessary to implement the design-build method procurement process to develop the Project, consistent with applicable state law and the Mobility Authority Policy Code, and to review the RFQ responses received, assess such responses based on the criteria identified in the RFQ, and prepare a recommendation to the Board of Directors regarding a short-list of firms to further participate in the design-build method procurement process and to receive and respond to a request for detailed proposals issued by the Mobility Authority in accordance with state law and the Policy Code.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 11th day of April, 2012.

Submitted and reviewed by:

Approved:

Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority

Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number: 12-_____
Date Passed: 4/11/2012