



**CENTRAL TEXAS
Regional Mobility Authority**

Special Called Meeting of the Board of Directors

9:00 a.m.

Tuesday, February 16, 2016

Lowell H. Lebermann, Jr., Board Room
3300 N. IH-35, Suite 300
Austin, Texas 78705

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.

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:

3. Discuss legal issues related to claims by or against the Mobility Authority; pending or contemplated litigation and any related settlement offers; or other matters as authorized by §551.071 (Consultation With Attorney).
4. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation with Attorney).
5. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

Regular Items

Items to discuss, consider, and take appropriate action.

6. Authorize negotiation and execution of an amendment to the Design-Build Contract with CH2MHill for the MoPac Improvement Project.
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, the Board may hold an open or closed meeting by telephone conference call. Each portion of the meeting that is required to be open to the public shall be audible to the public at the meeting location and the audio will be digitally recorded. At the conclusion of the meeting, the digital 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.

*Mobility Authority Board Meeting Agenda
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(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.

Persons with disabilities. If you plan to attend this meeting and may need auxiliary aids or services, such as an interpreter for those who are deaf or hearing impaired, or if you are a reader of large print or Braille, please contact Melissa Hurst at (512) 996-9778 at least two days before the meeting so that appropriate arrangements can be made.

Español. Si desea recibir asistencia gratuita para traducir esta información, llame al (512) 996-9778.



CENTRAL TEXAS
Regional Mobility Authority

AGENDA ITEM #1 SUMMARY

Tuesday, February 16, 2016

Welcome and Opening Remarks by the Vice
Chairman

Board Member Comments

Welcome and Opening Remarks by Vice Chairman Mills

Board Member Comments

Board Action Required: No



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #2 SUMMARY Tuesday, February 16, 2016

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 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 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 Tuesday, February 16, 2016

Executive Session

Executive Session:

Discuss legal issues related to claims by or against the Mobility Authority; pending or contemplated litigation and any related settlement offers; or other matters as authorized by §551.071 (Consultation With Attorney).



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #4 SUMMARY Tuesday, February 16, 2016

Executive Session

Executive Session:

Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation With Attorney).



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AGENDA ITEM #5 SUMMARY Tuesday, February 16, 2016

Executive Session

Executive Session:

Discuss personnel matters as authorized by §551.074 (Personnel Matters).



**CENTRAL TEXAS
Regional Mobility Authority**

Meeting Date: February 16, 2016
AGENDA ITEM # 6

Authorize negotiation and execution of an amendment to the Design-Build Contract with CH2MHill for the MoPac Improvement Project.

Strategic Plan Relevance: Regional Mobility
Department: Engineering/Law
Contact: Jeff Dailey, Deputy Executive Director
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on draft resolution.

Summary:

Briefing on the contract amendment, and ongoing and upcoming construction work.

Backup provided: Draft Resolution for Board Consideration
Board Presentation

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

RESOLUTION NO. 16- 005

**AUTHORIZING THE EXECUTIVE DIRECTOR TO FINALIZE AND
EXECUTE AN AMENDMENT TO THE DESIGN-BUILD CONTRACT
WITH CH2MHILL FOR THE MOPAC IMPROVEMENT PROJECT**

WHEREAS, by Resolution No. 13-010 dated February 27, 2013, the Board of Directors of the Central Texas Mobility Authority (“Mobility Authority”) authorized the Executive Director to finalize and execute a design-build contract (the “Contract”) with CH2M Hill Engineers, Inc. (“CH2M”) for development of the MoPac Improvement Project (the “Project”); and

WHEREAS, the Deputy Executive Director issued a Notice of Event of Default dated December 17, 2015, notifying CH2M of its failure to perform work on the Project in accordance with the Project Schedule; and

WHEREAS, the Deputy Executive Director and CH2M have discussed and agreed to terms for a proposed amendment to the Contract which provides a Recovery Schedule acceptable to the Mobility Authority and other modifications to the terms of the Contract; and

WHEREAS, the Board has considered the proposed terms of the Contract amendment and plan for completing the Project;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the Executive Director to take all actions necessary to negotiate, execute and implement a Contract amendment that is consistent with the term sheet attached hereto as Exhibit A.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 16th day of February, 2016.

Submitted and reviewed by:

Approved:

Geoffrey Petrov, General Counsel

James H. Mills
Vice Chairman, Board of Directors

EXHIBIT A

[To be provided]