



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

January 26, 2022
AGENDA ITEM #13

Discuss and consider authorizing the Executive Director to take such actions as necessary to resolve issues arising from the default of DBi Services LLC

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| Strategic Plan Relevance: | Regional Mobility |
| Department: | Engineering |
| Contact: | Mike Sexton, Acting Director of Engineering |
| Associated Costs: | Not to exceed previously approved amounts |
| Funding Source: | Operating Budget |
| Action Requested: | Consider and act on draft resolution |

Project Description/Background: The Performance Based Maintenance Contract (PBMC) includes routine Maintenance Services and associated items on existing and future Authority roadways and adjacent Texas Department of Transportation (TxDOT) frontage roads/general purpose lanes from right-of-way (ROW) to ROW.

Previous Actions & Brief History of the Program/Project: Board Resolution No. 20-026 authorized the Executive Director to negotiate and execute the PBMC for existing and future Mobility Authority Roadways and related facilities and for adjacent TxDOT roadways with DBi Services, LLC. The Executive Director executed the PBMC on July 1, 2020. DBi Services, LLC secured contract required payment and performance bonds through Berkshire Hathaway Specialty Insurance Company.

On October 22, 2021, DBi Service, LLC ceased maintenance operations on the Mobility Authority facilities.

Board Resolution No. 21-066 authorized the Executive Director to procure, negotiate, and execute a contract (including an interlocal agreement) for the immediate provision of maintenance services.

Board Resolution No. 21-071 Authorized the Executive Director to spend up to

\$3,000,000 to ensure the safe and continued operations of Mobility Authority facilities, including for the purchase of maintenance equipment and for any necessary change orders to the contract with Roy Jorgenson and Associates, Inc.

Berkshire Hathaway Specialty Insurance Company has proposed a completion contractor to take over the original PBMC contract through the term of the performance bond period.

Financing: Operating Budget

Action requested/Staff Recommendation:

Staff recommends the Board authorize the Executive Director to take all required actions related to a claim against Berkshire Hathaway Specialty Insurance Company for the maintenance services contract including: negotiating and executing an agreement with Berkshire Hathaway Specialty Insurance Company to provide for a completion contractor for the Performance Based Maintenance Contract, modifying the related inter local agreement, and executing change orders up to not to exceed amounts previously approved by the Board.

Backup provided: Draft resolution to be provided at the board meeting.