

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

RESOLUTION NO. 04-51

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, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

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

WHEREAS, the CTRMA has adopted procurement policies which conform to HB 3588 and which provide for the receipt and processing of unsolicited proposals for project development through use of a CDA; and

WHEREAS, on September 15, 2003, the CTRMA received an unsolicited proposal for the development of U.S. 183-A from Zachary/Kiewit 183-A Partners, L.P.; and

WHEREAS, in Resolution No. 03-58 dated November 5, 2003, the CTRMA Board of Directors authorized the initiation of the CDA process and directed staff to issue a request for competing proposals ("RFCQ") in response to the receipt of the unsolicited proposal; and

WHEREAS, in accordance with the CTRMA procurement policies, staff issued the RFCQ on December 19, 2003, and caused the RFCQ to be published in the *Texas Register* with responses due on February 2, 2004; and

WHEREAS, the CTRMA received five responses to the RFCQ, and based on those responses and other analyses the CTRMA, on February 25, 2004, designated a "short-list" of proposer teams to receive a Request for Detailed Proposals ("RFDP") for the development of US 183-A; and

WHEREAS, in Resolution No. 04-02, dated February 25, 2004, the CTRMA Board of Directors directed staff to begin work on a draft RFDP; and

WHEREAS, the Board of Directors of the CTRMA, on May 5, 2004, authorized staff to issue the final RFDP documents to each of the three short-listed teams previously designated; and

WHEREAS, on August 16, 2004, the CTRMA received responses to the final RFDP from the three short-listed teams; and

WHEREAS, the CTRMA staff and consultants carefully reviewed the responses and evaluated them through a process designed to assure fairness and objectivity in the review and evaluation of the responses; and

WHEREAS, based on the evaluation of the RFDP responses, the CTRMA Executive Director recommended to the Board that the proposal received from Hill Country Constructors was the one that provided the best value to the CTRMA; and

WHEREAS, the Board of Directors approved of the selection of Hill Country Constructors as the team presenting the best value proposal to the CTRMA for the development of US 183-A and directed the Executive Director and staff to finalize a CDA for the development of US 183-A with Hill Country Constructors and to present the CDA to the full Board for approval; and

WHEREAS, staff has been engaged with Hill Country Constructors to finalize a CDA for the development of US 183-A; and

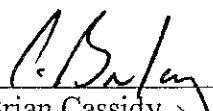
WHEREAS, staff now recommends approval of the CDA with Hill Country Constructors and issuance of Notice to Proceed No. 1 ("NTP1"), subject to first securing all necessary approvals of TxDOT and the FHWA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the CDA with Hill Country Constructors for the development of US 183-A, subject to first securing all necessary approvals of TxDOT and the FHWA; and

BE IT FURTHER RESOLVED, that Executive Director and staff are directed to issue NTP1 upon execution of the CDA on behalf of the CTRMA.

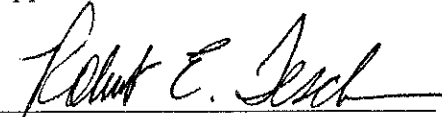
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of October 2004.

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 04-51
Date Passed 10/27/04

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

RESOLUTION NO. 04-52

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, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

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

WHEREAS, the CTRMA solicited proposals for the development of US 183-A and conducted a thorough evaluation process, designed to assure fairness and objectivity and to determine which proposal provided the best value to the CTRMA; and

WHEREAS, in Resolution No. 04-43, dated September 8, 2004, the Board of Directors approved of the selection of Hill Country Constructors as the proposer that provided the best value to CTRMA and directed the Executive Director and staff to finalize a CDA for the development of US 183-A with Hill Country Constructors and to present the CDA to the full Board for approval; and

WHEREAS, in Resolution No. 04-51, dated October 27, 2004, the Board of Directors approved and authorized the execution of the CDA with Hill Country Constructors for the development of US 183-A and directed the staff to issue Notice to Proceed No. 1 upon execution of the CDA; and

WHEREAS, the work performed under the CDA will require oversight by the general engineering consultant retained by the CTRMA (the "GEC"); and

WHEREAS, the GEC has developed a scope of work and proposed budget for the work necessary to oversee the design and construction activities performed under the CDA; and

WHEREAS, a copy of that proposed scope of work and budget is contained in the work authorization attached hereto as Exhibit A (the "CDA Work Authorization"); and

WHEREAS, the CTRMA Board of Directors must approve the CDA Work Authorization before the GEC may proceed to work thereunder; and

WHEREAS, the CTRMA Board of Directors desires to authorize the performance of work included within the CDA Work Authorization on a quarterly basis following a report from the GEC on work performed to date and an explanation of work to be performed during the next quarter; and


WHEREAS, the funding for the GEC oversight and the work performed under the CDA Work Authorization shall be solely from the existing toll equity grant money for US 183-A and/or the CTRMA's financing of the US 183-A project, including the proceeds of the issuance of toll revenue bonds;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the scope of work contained in the CDA Work Authorization subject to the GEC presenting, on a quarterly basis, a report on work performed to date under the CDA Work Authorization and receiving board approval of work to be performed during the next quarter; and

BE IT FURTHER RESOLVED, that all work performed under the CDA Work Authorization shall be subject to the Agreement for General Consulting Civil Engineering Services between the CTRMA and the GEC; that all work performed under the CDA Work Authorization shall be funded solely from the existing toll equity grant money for US 183-A and the proceeds of the project financing for 183-A; and that no additional work may be undertaken without the specific approval of the Board of Directors.

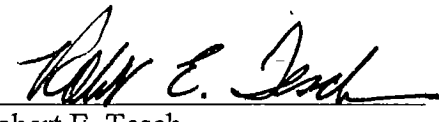
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of October 2004.

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 04-52

Date Passed 10/27/04

CENTRAL TEXAS RMA**ATTACHMENT A – SCOPE OF WORK****WORK AUTHORIZATION NO. 4****SERVICES TO BE PROVIDED BY THE GENERAL ENGINEERING CONSULTANT (GEC)****Comprehensive Development Agreement Oversight**

The work to be performed by the General Engineering Consultant (GEC) will include project management services necessary to oversee the design and construction of the US 183-A Tollway project through the use of a Comprehensive Development Agreement (CDA). This will entail those professional services and associated deliverables required to complete the oversight activities associated with the management of the CDA Developer (hereinafter referred to as the Developer).

The GEC will be the single point of contact between the CTRMA and Developer, acting as an extension of CTRMA staff by providing qualified technical and professional personnel to perform the duties and responsibilities assigned under the terms of this Agreement. The GEC shall not control the design and construction under the CDA. Oversight reviews by the GEC will not relieve the Developer of sole responsibility for the means and methods of design and construction, or for health or safety precautions in connection with the work under the CDA.

1.0 CDA Project Management Oversight

The GEC will maintain a core staff at the Developer-provided US 183-A field office to administer, manage and coordinate the overall CDA oversight efforts. This staff will represent the CTRMA's interests as defined in the CDA Request for Detailed Proposals (REDP) and CDA Contract. To effectively perform the tasks associated with this scope, it is anticipated that the GEC will provide the following staff:

- A. Project Manager
- B. Deputy Project Manager
- C. Technical Advisors (2)
- D. Office Manager
- E. Controls & Billing Manager
- F. Office Administrator

Specific tasks will include:

- 1.1 Manage and administer the planning, execution, and control of all aspects of the CDA oversight, including all activities required to complete same in accordance with the CDA RFDP and contract.
- 1.2 Coordinate the oversight activities with the Developer and other appropriate entities.
- 1.3 Provide technical advice from senior-level staff to guide the oversight activities.
- 1.4 Document and report to the CTRMA the Project activities and progress.
- 1.5 Develop and maintain a staffing plan to ensure appropriate levels of oversight staffing.
- 1.6 Prepare communications between the CTRMA and the Developer.
- 1.7 Manage, document and appropriately distribute communications between the CTRMA and the Developer.
- 1.8 Participate as a representative of the CTRMA in all partnering activities associated with the Project.
- 1.9 Participate as a representative of the CTRMA in all weekly meetings.
- 1.10 Review and comment on all monthly and weekly reports submitted by the Developer.
- 1.11 Provide office management for the oversight staff.
- 1.12 Provide office administrative functions for the oversight staff.

2.0 CDA Design Oversight

The GEC will maintain a core staff at the CDA provided US 183-A field office to administer, manage and coordinate the CDA design oversight review and audit efforts. This staff will represent the CTRMA's interests as defined in the CDA Request for Detailed Proposals (RFDP) and CDA Contract. To effectively perform the tasks associated with this scope, it is anticipated that the GEC will provide the following staff:

- A. Design Manager
- B. Toll Facilities Design
 1. Lead Toll Facilities Engineer
 2. Architect
 3. Mechanical / Electrical / Plumbing (MEP) Engineer
 4. Intelligent Transportation Systems (ITS) Engineer
- C. Structural Design
 1. Lead Structural Engineer
 2. Structural Engineer
 3. Geotechnical Engineer
 4. Renewable Energy Specialist
- D. Roadway Design
 1. Lead Roadway Engineer
 2. Roadway Engineer (2)

3. Drainage Engineer
4. Pavement Engineer
5. Traffic Engineer
6. Signage / Striping Engineer
7. Lighting / Signals Engineer
8. Utility Coordination Engineer
9. Aesthetics Specialist
10. Landscape Specialist
11. Engineering Support

E. Environmental Coordination

1. Lead Environmental / Permitting Specialist
2. Wetlands Specialist
3. Karst Specialist
4. Water Quality Specialist
5. Archeology Specialist
6. Threatened & Endangered (T&E) Species Specialist
7. Hazardous Materials Specialist

Specific tasks will include:

- 2.1 Perform oversight reviews and audits of Developer-provided information related to Toll Facility, Structure and Roadway designs in accordance with the CDA RFDP and Contract, including the following elements:
 - 2.1.1 Interim schematic design
 - 2.1.2 Ultimate schematic design
 - 2.1.3 Clearing & grubbing design package
 - 2.1.4 Grading (rough) design package
 - 2.1.5 Grading (finished) & drainage design package
 - 2.1.6 Final roadway design package
 - 2.1.7 Preliminary, intermediate, pre-final, and final bridge plans
 - 2.1.8 Miscellaneous structures
 - 2.1.9 Preliminary and final geotechnical reports
 - 2.1.10 Preliminary and final pavement design reports
 - 2.1.11 Preliminary, intermediate, and final level of service traffic analyses reports
 - 2.1.12 Signalization studies, warrants, and plans
 - 2.1.13 Drainage designs
 - 2.1.14 Hydraulic and scour studies and FEMA submittals for stream crossings
 - 2.1.15 Landscape designs
 - 2.1.16 Aesthetic elements
 - 2.1.17 Toll facility designs
 - 2.1.18 Miscellaneous designs
 - 2.1.19 Participate in comment resolution processes
 - 2.1.20 Developer submitted requests for variances or design exceptions

- 2.1.21 Provide concurrence with certification of compliance submissions by the independent quality assurance firm retained by the Developer
 - 2.1.22 Shop drawing oversight review and coordination
 - 2.1.23 Notices of design changes during construction
 - 2.1.24 Field clarification requests during construction
 - 2.1.25 Requests for information during construction
 - 2.1.26 Other design-related issues that arise during construction
- 2.2 Perform oversight reviews and audits of Developer-provided information related to Environmental components of the Project in accordance with the CDA RFDP and Contract, including the following elements:
- 2.2.1 Review of environmental site assessments (ESAs) submitted by the Developer for R/W parcels to be acquired by the Developer for the Project
 - 2.2.2 Review of Phase II ESA proposed scopes of work and Investigative Work Plans for R/W parcels with potential Recognized Environmental Conditions discovered during the ESA process
 - 2.2.3 Review Letters to Affected Property Owners and meet with concerned citizens to discuss environmental issues, as required
 - 2.2.4 Review Archeological and Historic Property Phase I & II survey reports, Test/Data Recovery Plans and reports, and SHPO-FRHP nomination packages, as required
 - 2.2.5 Review design plans and design changes for conformance with environmental commitments
 - 2.2.6 Review field construction activities for conformance with permits and environmental commitments
 - 2.2.7 Maintain database to track and verify permit compliance and Clearance of Construction.

3.0 CDA Public Involvement Oversight

The GEC will maintain staff at the Developer-provided US 183-A field office to administer, manage and coordinate the overall CDA public involvement oversight efforts. This staff will represent the CTRMA's interests as defined in the CDA Request for Detailed Proposals (RFDP) and CDA Contract. To effectively perform the tasks associated with this scope, it is anticipated that the GEC will provide the following staff:

A. Public Relations Manager

Specific tasks will include:

- 3.1 Manage and administer the planning, execution, and control of all aspects of the CDA Public Involvement oversight, including all activities required to complete same in accordance with the CDA RFDP and contract.

- 3.2 Work with the Developer in developing a Public Information Plan (PIP) for the Project.
- 3.3 Manage / coordinate public and media inquiries regarding the project.
- 3.4 Assist the CTRMA in response to open record requests.
- 3.5 Coordinate with the Developer to prepare weekly updates on the Project.
- 3.6 Coordinate with the Developer to prepare and conduct monthly briefings to stakeholders, as required.
- 3.7 Review all Project related public involvement documents prepared by the Developer.
- 3.8 Assist in updating the Project web site.
- 3.9 Coordinate the issuance of public notices of traffic phase changes and local road detours and closures with the Developer.
- 3.10 Coordinate and provide Project tours for visitors and other delegations as requested by the CTRMA.
- 3.11 Participate in open public forums or other public project presentations or meetings as requested by the CTRMA.

4.0 CDA Right-of-Way / Utility Oversight

The GEC will maintain staff at the Developer-provided US 183-A field office to administer, manage and coordinate the overall CDA right-of-way and utility coordination / relocation oversight efforts. This staff will represent the CTRMA's interests as defined in the CDA Request for Detailed Proposals (RFDP) and CDA Contract. To effectively perform the tasks associated with this scope, it is anticipated that the GEC will provide the following staff:

- A. Lead Right-of-Way Specialist
- B. Lead Utility Specialist

Specific tasks will include:

- 4.1 Perform oversight reviews and audits of Developer-provided information related to right-of-way and utility components of the Project in accordance with the CDA RFDP and Contract, including the following elements:
 - 4.1.1 Technical support to the Developer to resolve contract and design issues with utilities impacted by the Project
 - 4.1.2 Review utility adjustment plans prepared by the Developer
 - 4.1.3 Review new utility permit applications prepared by the Developer
 - 4.1.4 Review new utility designs and provide assistance with payment authorization
 - 4.1.5 Review claims of unidentified utilities submitted by the Developer and processing of associated documents
 - 4.1.6 Provide assistance in resolving utility conflicts

- 4.1.7 Provide oversight review of location, materials, and backfilling of trenches associated with utility adjustments
- 4.1.8 Monitor and report utility adjustment status
- 4.1.9 Review monthly draw requests submitted by the Developer
- 4.1.10 Provide assistance in scheduling issues and conflict resolution with utility owners and other outside agencies
- 4.1.11 Provide information to the Developer concerning previous land acquisition negotiations with certain property owners along the Project corridor
- 4.1.12 Coordinate the preparation of Eminent Domain packages to be submitted by the Developer in relation to land acquisition

5.0 CDA Construction Oversight

The GEC will maintain a core staff at the CDA provided US 183-A field office to administer, manage and coordinate the CDA construction oversight review and audit efforts. This staff will represent the CTRMA's interests as defined in the CDA Request for Detailed Proposals (RFDP) and CDA Contract. To effectively perform the tasks associated with this scope, it is anticipated that the GEC will provide the following staff:

- A. Construction Manager
- B. Resident Engineer
- C. Construction Oversight
 - 1. Senior Structural Inspector (1)
 - 2. Structural Inspector (2)
 - 3. Senior Facilities Inspector (1)
 - 4. Senior Roadway Inspector (1)
 - 5. Roadway Inspector (3)
 - 6. Senior Utilities Inspector (1)
- D. Materials Testing
 - 1. Materials Manager
 - 2. Materials Testing Staff (assumed staffing of 1 Senior Technician and 3 Technicians)
- E. Field Surveys
 - 1. Survey Manager
 - 2. Survey Crew (3 person)
- F. Environmental Compliance
 - 1. Environmental Compliance Lead
 - 2. Water Quality Inspector

Specific tasks will include:

- 5.1 Establish field offices and field laboratory.
- 5.2 Review the Developer's plan for construction quality control and assurance procedures to be used in the field.
- 5.3 Review mix designs as submitted by the Developer for concrete, asphalt and lime as appropriate and required by the project design and specifications.
- 5.4 Provide plan constructability reviews in coordination with the Consultant Design Quality Manager.
- 5.5 Assist the Consultant Design Quality Manager in review of Developer initiated alternative design or substitution proposals.
- 5.6 Provide quality assurance oversight on construction activities of the Developer.
- 5.7 Review the Developer's quality control and quality assurance material testing results for conformance to the Developer's Quality Control Plan and the appropriate provisions of the CDA including off-site materials testing and certification.
- 5.8 Provide Owner verification testing of materials incorporated into the project.
- 5.9 Maintain a material testing data base and other statistical analyses in a computerized data base format.
- 5.10 Attend and prepare meeting minutes of weekly construction progress meetings with the Developer.
- 5.11 Develop and utilize a tracking system and review as necessary submittals from the Developer.
- 5.12 Provide vertical and horizontal control checks to verify construction is in reasonable accordance with the accepted project plan layout.
- 5.13 Review traffic control plans submitted by the Developer. Monitor in the field the plan implementation by the Developer.
- 5.14 Review and sign non-conformance reports including review of proposed remedial actions by the Developer.
- 5.15 Perform audits of the independent construction quality assurance firm and the Developer to verify conformance with the CDA.
- 5.16 Provide technical support in the review of the Developer's construction schedule and construction schedule updates. Resolve any schedule dispute issues.
- 5.17 Review and provide recommendations to the Owner for processing of the Developer's partial and final pay requests. Evaluate the pay requests for proper documentation and signature by the Developer in accordance with the requirements of the CDA.
- 5.18 Assist in change order negotiation and provide review of change order documentation; make recommendations to the Owner on change order requests initiated by the Developer. Review Developer's cost estimates and specifications on Owner requested extra work. Evaluate any Developer claims for extensions of time and make recommendations to the Owner.
- 5.19 Assemble supporting documentation and otherwise assist in dispute negotiations and claims resolutions.

- 5.20 Coordinate with the Developer in the generation of preliminary and final deficiency lists. Monitor the resolution of outstanding construction items.
- 5.21 Maintain documentation of electronic and hard copy files to support the construction oversight activities of the Consultant. Provide status reports as required by the Owner.
- 5.22 Coordinate the efforts of all engineering subconsultants.
- 5.23 Provide technical support and management assistance as required by the Owner toward the successful completion of the project.

6.0 CDA Project Controls

The GEC will maintain a core staff at the CDA provided US 183-A field office to administer, manage and coordinate project controls activities on the Project. This staff will represent the CTRMA's interests as defined in the CDA Request for Detailed Proposals (RFDP) and CDA Contract. To effectively perform the tasks associated with this scope, it is anticipated that the GEC will provide the following staff:

- A. Project Controls Manager
- B. Document Control Specialist
- C. Cost Estimator
- D. Claims Specialist
- E. Schedule Specialist

Specific tasks will include:

- 6.1 Maintenance of servers, workstations, and network equipment as required for the CDA oversight staff
- 6.2 Security monitoring of network access
- 6.3 Troubleshooting of issues for CDA oversight system users
- 6.4 Maintenance of database and software associated with the Electronic Document Management System (EDMS) and the user interfaces with EDMS
- 6.5 Maintenance of the tracking databases for submittals, issues, material test data, and related technical data associated with the Project
- 6.6 Maintenance of the Project website
- 6.7 Backup of data generated for the Project
- 6.8 Identification, receipt, entry into the EDMS, tracking/logging and distribution of Project related required document (incoming or outgoing) submittals / deliverables
- 6.9 Auditing of information associated with the documents in the EDMS
- 6.10 Retrieval of documents as a result of open records requests

- 6.11 Providing mail services for the Project including receipt, logging, capture into the EDMS and distribution of incoming / outgoing faxes, mail (US, Priority, Courier, Internal and External)
- 6.12 Training of CDA oversight personnel in the use of EDMS applications and work processes

DRAFT

Explanation of Oversight Fee
Central Texas Regional Mobility Authority (CTRMA)
October 2004

ISSUE:

The US 183-A TIFIA loan application submitted in July of 2004 estimated the management and oversight cost of the project at approximately \$16.1 million. An oversight agreement should be in place prior to issuance of Notice to Proceed 1 (NTP1) so that CTRMA has the personnel available to respond to the Developer's activities, review the initial submittals, and to set up the project office prior to NTP2. The GEC will need to staff a significant number of positions in the months between NTP1 and NTP2 as well. The GEC will be at risk that bond financing will not occur within 90 days of NTP 1 and will attempt to limit oversight services to within the \$12.7 million Mobility Fund source until NTP 2 and bond funds are available.

The purpose of this paper is to clarify why CTRMA's oversight of the management, design, and construction is an important aspect when utilizing the design-build process and to what extent the oversight should be applied.

BACKGROUND:

There are several reasons oversight is **required** on the US 183-A project:

- Per 23 CFR 637.205, FHWA requires the owner to have a quality assurance program, to maintain an adequate and qualified staff to administer the program, to have independent assurance on testing, and to have verification sampling.
- The trust indenture for bond financing requires assurances for the quality of the project, which will last for the life of the bonds, and require the owner to sign off each month that the work and materials have been properly incorporated into the project.
- The CDA commits the CTRMA to provide limited reviews of 30%, 65%, and 100% design submittals, conduct over-the-shoulder reviews as design progresses, and attend recurring in-progress design workshops. The CTRMA will also be required to approve and oversee the Developer's Project Management Plan, Public Involvement Plan, and Environmental Mitigation Plan.

There are also several reasons that an **appropriate amount of oversight** is recommended on the US 183-A project:

- Assurance that the Developer is meeting the contract requirements and that CTRMA and the investors are getting what they paid for.
- Assurance that the Developer doesn't cut corners and that the appropriate designers and construction personnel are producing a quality product.
- The ultimate responsibility for maintenance rests with the owner. The CTRMA will have higher maintenance costs in years 10-40 if construction is not completed in a quality manner.
- CTRMA needs to have adequate oversight staff, first hand knowledge, and records in order to review and render decisions on Developer claims and change order requests.

Determination of Extent of Oversight required:

The number of personnel and the extent of oversight required to conduct the design reviews, the assurance review, audits and testing depends on the amount of risk the CTRMA and its financial supporters wish to take.

The Developer is required to provide a Design Quality Management Plan (DQMP) and a Construction Quality Management Plan (CQMP). These plans outline the Developer's quality control. The CDA requires the Developer to retain the services of a Quality Assurance Firm that is an independent on-site firm reporting to both the Developer's Management Team and the CTRMA. By utilizing the Quality Assurance Firm, the CTRMA will not need to spend the amount typically observed on a design-bid-build project rather only enough to manage the project and to insure proper design and verify quality construction.

The following projects utilized similar design and construction oversight contracts. The scope of each of these projects is slightly different. A more detailed explanation of each project is attached in Appendix A.

Sample Projects with Similar Program Management Responsibilities				
Project	Client	Constr Cost	Oversight Fee	%
SH 45 SE	TTA	\$156,000,000	\$13,000,000	8.3%
SH 130	TTA	\$1,034,527,000	\$90,000,000	8.7%
San Joaquin Hills & Eastern Trans Corridor	TCA Orange County	\$1,557,000,000	\$158,000,000	10.1%
Legacy Project	Utah DOT	\$230,000,000	\$24,000,000	10.4%
US 367 projects	Mo DOT	\$98,000,000	\$9,800,000	10.0%
Whittier Tunnel	Alaska DOT	\$57,000,000	\$4,600,000	8.1%
I-229	SDDOT	\$32,000,000	\$2,450,000	7.7%
Denver Airport	City	\$3,200,000,000	\$255,000,000	8.0%

Recommended US 183-A Oversight:

An appropriate level of oversight enables the CTRMA to uphold its duty to its users and bond holders. The GEC has developed an organization chart, scope, and manpower estimate to provide the oversight. The proposed anticipated oversight cost for both construction and design oversight is \$14,178,080, which is approximately 7.95% of the total \$178,312,913 CDA design/construction cost.

As with the procurement phase of this project, which remains on time and under budget, if the GEC finds the Developer's design and construction are of a high quality and the claims and change orders are minimized, then all of the oversight fee would most likely not be utilized.

Appendix A

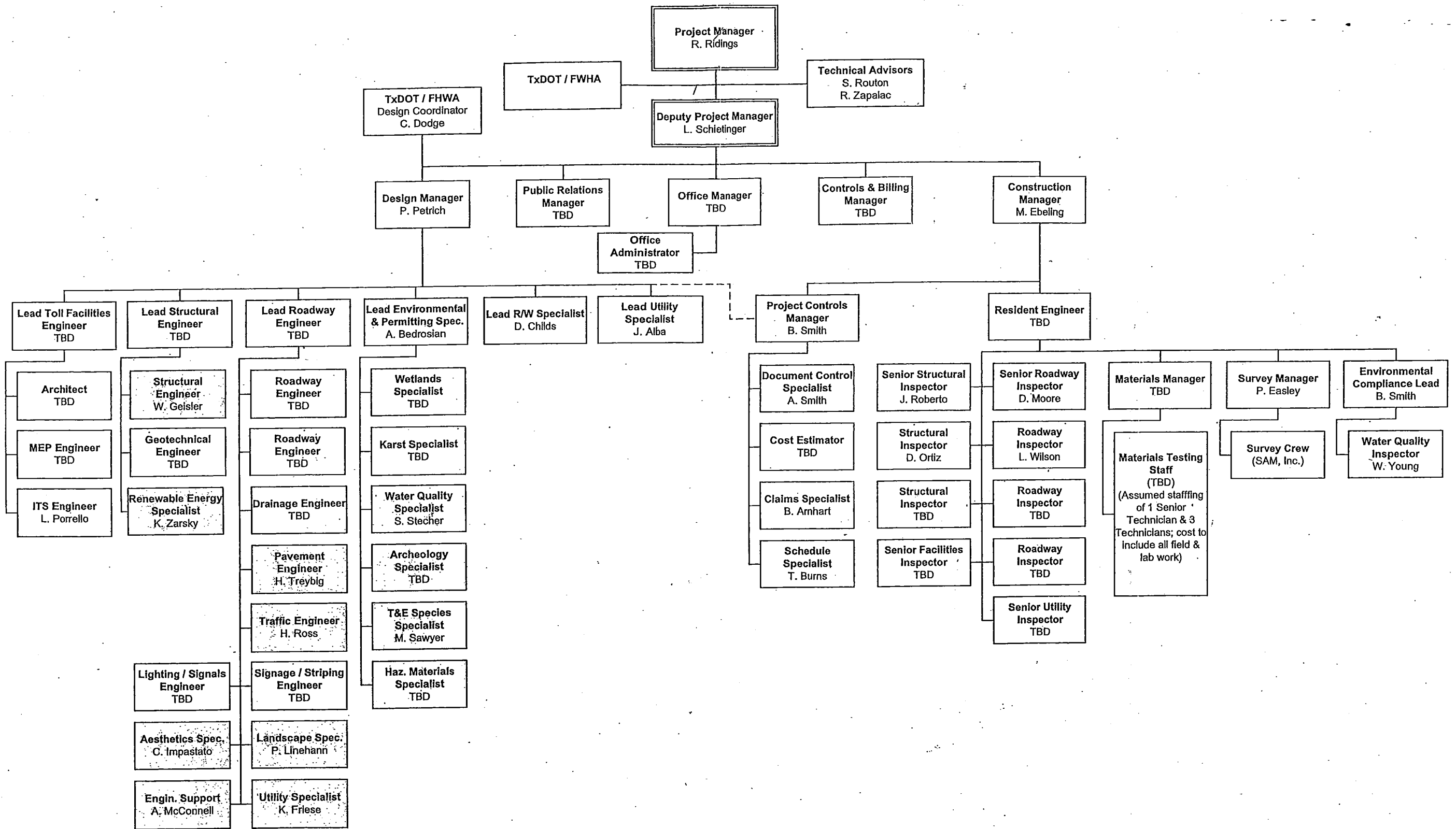
- 1) **SH 45SE:** Probably the most similar project to the US 183-A project is the \$156 million SH 45SE design-build project. The CDA scope was very similar to the scope prepared for US 183-A. TxDOT contracted the design and construction oversight for \$13 million or 8.3% of the design-build contract amount.
- 2) **SH 130:** TTA is contracting the oversight of the \$1 Billion, 49 mile SH 130 turnpike project through a series of work authorizations, each extending one to two years. The oversight scope is very similar to what would be required for US 183-A. The total budgeted oversight amount for which bonds were sold is \$115,352,000 this is 11.1% of the contract amount.
- 3) **San Joaquin Hills and the Eastern Transportation Corridor:** Transportation Corridor Agency (TCA) in Orange County has issued several work authorizations for Program Management (PM) and Construction Management (CM) of its two larger projects during the last 10 years. The PM & CM scope for the San Joaquin Hills and the Eastern Transportation Corridor Projects (Design-Build Contract amounts were \$792 million and \$765 million, respectively) is roughly the same as the scope for SH 130, although there was probably more design oversight than on the SH 130 Project. Program Management authorizations totaled \$102 million and the Construction Management authorizations totaled \$56 million for a total of \$158 million. For comparison purposes, the PM & CM amounts represented 10% of the Design-Build contract amounts [$\$158 / (\$792 + \$765)$].
- 4) **I-15 Salt Lake City Reconstruction:** Utah Department of Transportation (UDOT) employees a PM (which includes CM) on the I-15 D-B project. The PM scope of the I-15 project is different from that proposed on US 183-A. The design oversight was roughly the same, but the construction oversight was significantly less (probably half of what is presently proposed on the TTA Projects). The PM cost is about \$85 million and the overall project cost is estimated to be \$1,680 million. For comparison purposes the PM amount represented 5.5% of the Design-Build contract amount. UDOT has indicated that they are concerned about the level of construction oversight, and on future projects have elected to increase the construction oversight to assure quality.
- 5) **Legacy Project:** UDOT is finishing work on the 1st Phase of the \$230 million Legacy Project, just north of Salt Lake City. The PM's scope for this project has been modified based on lessons learned from the I-15 PM contract. The scope of the PM is almost identical to the scope of TTA's projects. The PM cost is presently estimated to be \$24 million dollars or roughly 10%.
- 6) **MoDOT 367:** Missouri Department of Transportation (MoDOT) has a unique method for entering into PM services. They have placed several program management projects with various PM consultants during the last year. Their formulas for computing PM budgets are as follows:

DRAFT

- Program and Design Management including management of right-of-way is 5% of estimated construction cost.
- Preliminary Engineering and Environmental Coordination is 5% of the estimated construction cost
- Construction Management including procurement is 5% of the estimated construction cost.

MoDOT used the above formulas to calculate the estimated budget of PM and CM services for their \$98 million, 4 year, US 367 projects. MoDOT awarded a contract for roughly 75% of the calculated amount with a caveat that the amount would be adjusted to reflect actual project requirements once a construction contract is awarded.

- 7) **Whittier Tunnel:** Alaska Department of Transportation's \$57 million, 4 year, Whittier Shared Automobile/Train Tunnel project was recently completed as a D-B project. PM fees, without construction management (the DOT provided CM services internally), were at \$2.0 million. It is generally assumed that D-B Construction Management (utilizing Contractor QC/QA) fees range between 4 and 5% of the D-B contract amount. Based on the above, the added CM fees would be an additional \$2.6 million. For comparison purposes, the PM & CM amounts represented 8.1% of the Design-Build contract amount [$$(2.0+2.6)/\57].
- 8) **I-229 Reconstruction:** South Dakota Department of Transportation completed construction of a \$32 million, 2-year D-B project on I-229 near Sioux City. The scope of the PM is similar to the scope presently proposed for TTA's projects, but includes no materials testing (which is estimated to be \$400K to \$500K). The PM cost is presently estimated to be \$2 million dollars. For comparison purposes, the PM amount represented 7.7% of the Design-Build contract amount [$$(2.0+0.45)/\32].
- 9) The City of Denver used PM (which included CM) in the construction of the Denver International Airport (DIA). The project cost was roughly \$3,200 million and the PM/CM budget was \$255 million. The PM cost was roughly 8%.



DRAFT

**CTRMA US 183-A
CDA Oversight Fee Estimate Summary**

DRAFT

CDA Management & Design Oversight

Total Labor & Overhead & Profit	\$	6,053,830.39
Expenses	\$	553,100.00
Sub-total Fee (Management & Design Oversight)	\$	6,606,930.39

CDA Construction & Project Controls Oversight

Total Labor & Overhead & Profit	\$	7,025,350.56
Expenses	\$	545,800.00
Sub-total Fee (Construction Oversight)	\$	7,571,150.56

CDA Oversight

Sub-total Fee (Management & Design Oversight)	\$	6,606,930.39
Sub-total Fee (Construction Oversight)	\$	7,571,150.56
Total Fee (CDA Oversight)	\$	14,178,080.95

**CTRMA GEC
US 183-A CDA OVERSIGHT
STAFFING PLAN**

POSITION / TITLE	PERSON/ FIRM	FULL/PART TIME	ANTICIPATED START DATE	ANTICIPATED END EXPERIENCE	REQUIRED DURATION (Months)	ESTIMATED MANHOURS	REMARKS
1.0 CDA Project Management Oversight							
1A Project Manager	R. Ridings	P	N/A	N/A	27	1877	16 hours per week.
1B Deputy Project Manager	L. Schietinger	F	N/A	N/A	27	3754	32 hours per week.
1C-1 Technical Advisor 1	S. Routon	P	N/A	N/A	24	834	8 hours per week.
1C-2 Technical Advisor 2	R Zapalac	P	N/A	N/A	24	834	8 hours per week.
1D Office Manager		F	1/1/2005	1/1/2007	24	4171	40 hours per week.
1E Contols & Billing Manager		P	1/1/2005	2/1/2007	25	1738	16 hours per week.
1F Office Administrator		F	2/1/2005	6/1/2006	16	2781	40 hours per week.
2.0 CDA Design Oversight							
2A Design Manager	Paul Petrich	F	11/1/2004	6/1/2006	19	3302	40 hours per week.
Toll Facilities							
2B-1 Lead Toll Facilities Engineer		F	4/1/2005	3/1/2007	23	3998	40 hours per week.
2B-2 Architect		P	1/1/2005	1/1/2006	12	417	8 hours per week.
2B-3 MEP Engineer		P	8/1/2005	8/1/2006	12	417	8 hours per week.
2B-4 ITS Engineer		P	1/1/2005	11/1/2006	22	200	Assumed 200 hours required total.
Structural							
2C-1 Lead Structural Engineer		F	1/1/2005	4/1/2006	15	2607	40 hours per week.
2C-2 Structural Engineer	JGI	F	5/1/2005	4/1/2006	11	1912	40 hours per week.
2C-3 Geotechnical Engineer		P	2/1/2005	2/1/2006	12	200	Assumed 200 hours required total.
2C-4 Renewable Energy Specialist	Kathy Z.	P	2/1/2005	4/1/2006	14	100	Assumed 100 hours required total.
Roadway							
2D-1 Lead Roadway Engineer		F	12/1/2004	12/1/2006	24	4171	40 hours per week.
2D-2a Roadway Engineer		P	2/1/2005	8/1/2006	18	939	12 hours per week.
2D-2b Roadway Engineer		P	5/1/2005	6/1/2006	13	1130	20 hours per week.
2D-3 Drainage Engineer	Tony Schneider	P	1/1/2005	4/1/2006	15	782	12 hours per week.
2D-4 Pavement Engineer	Klotz Assoc	P	3/1/2005	3/1/2006	12	200	Assumed 200 hours required total.
2D-5 Traffic Engineer	WHM	P	2/1/2005	2/1/2006	12	200	Assumed 200 hours required total.
2D-6 Signage / Striping Engineer		P	5/1/2005	4/1/2006	11	400	Assumed 400 hours required total.
2D-7 Lighting / Signals Engineer		P	5/1/2005	4/1/2006	11	400	Assumed 400 hours required total.
2D-8 Utility Coordination Engineer	Karen Friese	P	12/1/2004	10/1/2005	10	200	Assumed 200 hours required total.
2D-9 Aesthetics Specialist	C. Impastato-	P	1/1/2005	3/1/2007	26	600	Assumed 600 hours required total.
2D-10 Landscape Specialist	Linahan	P	1/1/2005	3/1/2007	26	200	Assumed 200 hours required total.
2D-11 Engineering Support	Alice McConnell	F	2/1/2005	8/1/2006	18	3129	40 hours per week.
Environmental							
2E-1 Lead Environmental / Permitting Sp	A. Bedrosian	P	N/A	N/A	As needed	150	Assumed 150 hours required total.
2E-2 Wetlands Specialist	ACI	P	N/A	N/A	As needed	150	Assumed 150 hours required total.
2E-3 Karst Specialist	ACI	P	N/A	N/A	As needed	150	Assumed 150 hours required total.
2E-4 Water Quality Specialist	Crespo	P	N/A	N/A	As needed	150	Assumed 150 hours required total.
2E-5 Archeology Specialist	ACI	P	N/A	N/A	As needed	150	Assumed 150 hours required total.
2E-6 T&E Species Specialist	ACI	P	N/A	N/A	As needed	150	Assumed 150 hours required total.
2E-7 Hazardous Materials Specialist	ACI	P	N/A	N/A	As needed	80	Assumed 80 hours required total.
3.0 CDA Public Involvement Oversight							
3A Public Relations Manager	Shuronda Parks	P	11/1/2004	3/1/2007	27	2346	20 hours per week.
4.0 CDA Right-of-Way / Utility Oversight							
4A Lead Right of Way Specialist	Sheets & Crossfield	P	N/A	N/A	As needed	200	Assumed 200 hours required total.
4B Lead Utility Specialist	Jesse Alba	P	12/1/2004	10/1/2005	10	869	20 hours per week.

**CTRMA GEC
US 183-A CDA OVERSIGHT
STAFFING PLAN**

5.0 CDA Construction Oversight

5A	Construction Manager	Mike Ebeling	F	11/1/2004	3/1/2007	28	4867	40 hours per week.
5B	Resident Engineer		F	12/1/2004	3/1/2007	27	4693	40 hours per week.
5C-1	Senior Structural Inspector	Jose Roberto	F	12/1/2005	3/1/2007	15	2607	40 hours per week.
5C-2a	Structural Inspector	Daniel Ortiz	F	5/1/2005	8/1/2006	15	2607	40 hours per week.
5C-2b	Structural Inspector		P	8/1/2005	6/1/2006	10	869	20 hours per week.
5C-3	Senior Facilities Inspector		F	6/1/2005	3/1/2007	21	3650	40 hours per week.
5C-4	Senior Roadway Inspector	Dick Moore	F	1/2/2005	3/1/2007	26	4519	40 hours per week.
5C-5a	Roadway Inspector	Lee Wilson	F	4/1/2005	10/1/2006	18	3129	40 hours per week.
5C-5b	Roadway Inspector		F	6/1/2005	8/1/2006	14	2433	40 hours per week.
5C-5c	Roadway Inspector		P	8/1/2005	6/1/2006	10	1304	30 hours per week.
5C-6	Senior Utility Inspector	Jesse Alba	P	1/1/2005	6/1/2006	17	2216	30 hours per week.
5D-1	Materials Manager		F	1/1/2005	3/1/2007	26	4519	40 hours per week.
5D-2	Senior Testing Technician	Subconsultant	F	4/1/2005	3/1/2007	23	3998	40 hours per week.
5D-3a	Testing Technician	Subconsultant	F	8/1/2005	8/1/2006	12	2086	40 hours per week.
5D-3b	Testing Technician	Subconsultant	P	8/1/2005	7/1/2006	11	1434	30 hours per week.
5D-3c	Testing Technician	Subconsultant	P	9/1/2005	6/1/2006	9	1173	30 hours per week.
5E-1	Survey Lead	SAM	P	N/A	N/A	As needed	200	Assumed 200 hours required total.
5E-2	Survey Crew	SAM	P	N/A	N/A	As needed	200	Assumed 200 hours required total.
5F-1	Environmental Compliance Lead	Don Hagemeyer	F	1/1/2005	1/1/2007	24	4171	40 hours per week.
5F-2	Water Quality Inspector	Crespo	P	N/A	N/A	As needed	200	Assumed 200 hours required total.

6.0 CDA Project Controls Oversight

6A	Project Controls Lead	Brett Smith	F	12/1/2004	3/1/2007	27	4693	40 hours per week.
6B	Document Control	April Smith	F	12/1/2004	3/1/2007	27	4693	40 hours per week.
6C	Cost Estimates		P	1/1/2005	3/1/2007	26	200	Assumed 200 hours required total.
6D	Claims	B. Arnhardt	P	1/1/2005	3/1/2007	26	200	Assumed 200 hours required total.
6E	Schedule	T. Burns	P	12/1/2004	3/1/2007	27	2346	20 hours per week.

Avg. manhours per month 173.3333
Avg. weeks per year 52.1429
Avg. weeks per month 4.3452
Avg. days per month 30.4167

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

RESOLUTION NO. 04-53

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, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

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

WHEREAS, the CTRMA solicited proposals for the development of US 183-A and conducted a thorough evaluation process, designed to assure fairness and objectivity and to determine which proposal provided the best value to the CTRMA; and

WHEREAS, in Resolution No. 04-43, dated September 8, 2004, the Board of Directors approved of the selection of Hill Country Constructors as the proposer that provided the best value to CTRMA and directed the Executive Director and staff to finalize a CDA for the development of US 183-A with Hill Country Constructors and to present the CDA to the full Board for approval; and

WHEREAS, in Resolution No. 04-51, dated October 27, 2004, the Board of Directors approved and authorized the execution of the CDA with Hill Country Constructors (subject to the conditions identified therein) for the development of US 183-A and directed the staff to issue Notice to Proceed No. 1 upon execution of the CDA; and

WHEREAS, in connection with oversight of the construction of US 183-A by the CDA team it is important to provide for the independent testing of materials used in the project; and

WHEREAS, TxDOT has the resources and expertise to provide such testing services at a reasonable cost; and

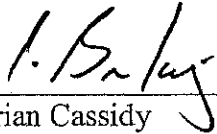
WHEREAS, the CTRMA general engineering consultant recommends that the CTRMA enter into the attached Interlocal Agreement with TxDOT to provide material testing services in connection with US 183-A;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby approves the entry into the Interlocal Agreement between The Texas Department of Transportation and the CTRMA set forth in Attachment "A"; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to execute such interlocal agreement on behalf of the CTRMA.

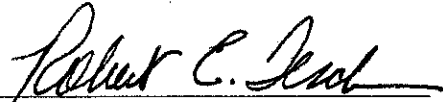
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of October, 2004.

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 04-53
Date Passed 10/27/04

Interlocal Agreement

Office of General Counsel – Contract Services Section Transmittal Form

From: (District/Division/Office)	Contact Person: Phone No.:
Subject:	
Other Entity	Contract Maximum Amount Payable
Are any federal funds used in this contract?	
the other party to this contract a county? Yes _____ No _____	
Does this contract involve the construction, improvement, or repair of a building or road? Yes _____ No _____	
If the answer to both questions is yes, a resolution from the commissioners court must be included as Attachment D.	
Was the standard interlocal or amendment format modified? Yes _____ No _____	
If modified, date of OGC-CSS approval: _____	
Modifications made are as follows:	

THE STATE OF TEXAS §

THE COUNTY OF TRAVIS §

INTERLOCAL AGREEMENT

THIS CONTRACT is entered into by the Contracting Parties under Government Code, Chapter 791.

I. CONTRACTING PARTIES:

The Texas Department of Transportation	TxDOT
Central Texas Regional Mobility Authority	CTRMA

II. PURPOSE: Material Inspection and Testing Services

III. STATEMENT OF SERVICES TO BE PERFORMED: TxDOT will undertake and carry out services described in **Attachment A**, Scope of Services.

IV. CONTRACT PAYMENT: The total amount of this contract shall not exceed \$2,000,000. Payments shall be billed as inspections are completed and work sheets are submitted to the Construction Division, Materials & Pavements Section office located in Austin, TX. Invoice payments will be made within thirty (30) days of the invoice date and remittances shall be made payable to Texas Department of Transportation. Payments shall conform to the provisions of Attachment E, Construction Division's Materials Section Inspection & Testing Rates and will include indirect costs. These rates are subject to change by TxDOT at its sole discretion.

V. TERM OF CONTRACT: This contract begins when fully executed by both parties and terminates on March 31, 2007 or when otherwise terminated as provided in this Agreement.

VI. LEGAL AUTHORITY:

THE PARTIES certify that the services provided under this contract are services that are properly within the legal authority of the Contracting Parties.

The CTRMA Board, by resolution or ordinance, dated _____, has authorized the CTRMA to obtain the services described in **Attachment A**.

This contract incorporates the provisions of **Attachment A**, Scope of Services, **Attachment B**, General Terms and Conditions, **Attachment C**, Resolution or Ordinance, **Attachment D**, Location Map Showing Project, and **Attachment E**, TxDOT's Inspection and Testing Rates and TxDOT's State Indirect Cost Plan.

TxDOT

Texas Department of Transportation

LOCAL GOVERNMENT

Central Texas Regional Mobility Authority

BY: _____
 AUTHORIZED SIGNATURE
 Janice Mullenix
 Director, Contract Services Section
 Office of General Counsel

 TYPED OR PRINTED NAME AND TITLE

BY _____
 AUTHORIZED SIGNATURE
 Michael Heiligenstein
 Executive Director

 TYPED OR PRINTED NAME AND TITLE

DATE: _____

DATE: _____

ATTACHMENT A**Scope of Services**

As requested by the CTRMA, TxDOT agrees to perform material inspection and testing services. Inspections will be performed at points in Texas where TxDOT routinely provides resident inspection services for its own highway materials. Out-of-State inspections for the CTRMA will only be performed when TxDOT has employees scheduled to conduct inspections for State projects at the requested location(s) or when TxDOT specifically accepts the assignment.

Inspections will be performed in substantial compliance with the specifications and instructions supplied by the CTRMA. As inspections and testing services are performed by TxDOT, written reports will be provided to the CTRMA and the CTRMA assignee. Reports will include date, time and nature of services performed and will be maintained by TxDOT for a period of four (4) years following the expiration of the agreement.

TxDOT and the CTRMA shall mutually agree on the inspection dates. TxDOT reserves the right to perform or reschedule inspection services in accordance with the following criteria:

- Availability of TxDOT's personnel to perform the necessary testing;
- When testing will not encumber testing performed by TxDOT for State projects.
- The right to reschedule the testing and inspection when it is determined by TxDOT that the originally scheduled time for testing and inspection of highway materials interferes with the testing and inspection for State projects.

Prior to TxDOT performing any inspections or testing, the CTRMA will issue work requests. Each work request will include the following:

- a. Project information (i.e. contract number project control numbers, etc.),
- b. Work Description,
- c. Type and quantity of material(s) to be tested and/or inspected,
- d. Assigned fabrication for each highway material including: the fabricator's location, contact, and phone number,
- e. Desired date of inspection, and
- f. Signature and telephone number of authorized CTRMA representative.

Changes to the work requests will require a supplemental work request.

ATTACHMENT B**General Terms and Conditions****Article 1. Amendments**

This contract may only be amended by written agreement executed by both parties before the contract is terminated.

Article 2. Conflicts Between Agreements

If the terms of this contract conflict with the terms of any other contract between the parties, the most recent contract shall prevail.

Article 3. Payments

Invoice payments will be made within thirty (30) days of the invoice date and remittances must be made payable to Texas Department of Transportation

Article 3. Disputes

TxDOT shall be responsible for the settlement of all contractual and administrative issues arising out of procurements entered in support of contract services.

Article 4. Ownership of Equipment

Except to the extent that a specific provision of this contract states to the contrary, all equipment purchased by TxDOT under this contract shall be owned by TxDOT.

Article 5. Termination

This contract terminates at the end of the contract term, when all services and obligations contained in this contract have been satisfactorily completed, by mutual written agreement, or 30 days after either party gives notice to the other party, whichever occurs first.

Article 6. Gratuities

Any person who is doing business with or who reasonably speaking may do business with TxDOT under this contract may not make any offer of benefits, gifts, or favors to employees of TxDOT. The only exceptions allowed are ordinary business lunches and items that have received the advanced written approval of the Executive Director of the Texas Department of Transportation.

Article 7. Responsibilities of the Parties

Each party acknowledges that it is not an agent, servant, or employee of the other party. Each party is responsible for its own acts and deeds and for those of its agents, servants, or employees.

Article 8. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules, and regulations and with the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement.

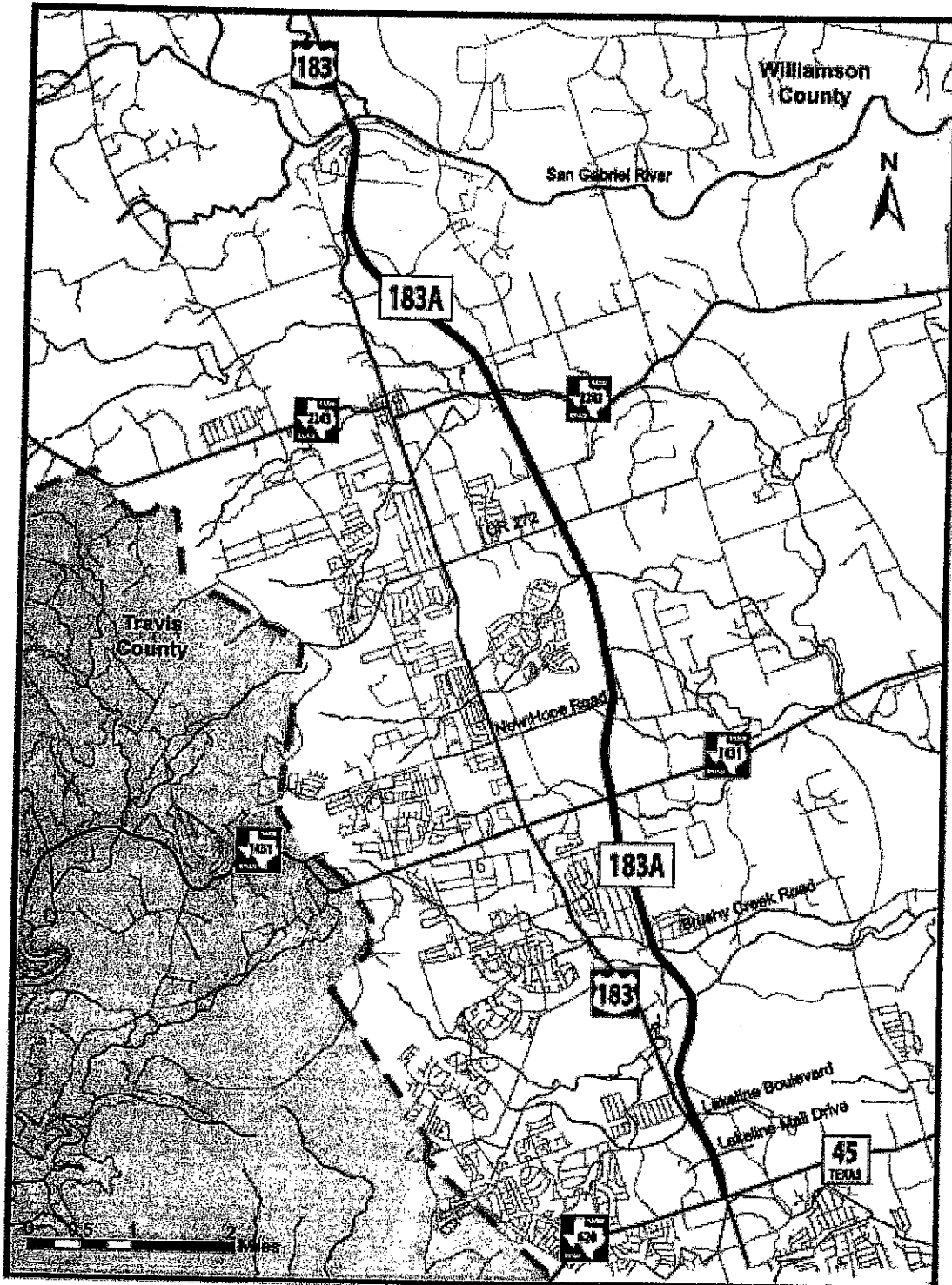
Article 9. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

ATTACHMENT C
Resolution or Ordinance

ATTACHMENT D

Location Maps Showing Project



ATTACHMENT E

TxDOT's Inspection and Testing Rates

and

TxDOT's State Indirect Cost Plan

Notes:

1. The CTRMA will be responsible for all direct and indirect costs or expenses involved in the performance of TxDOT's services. Reimbursable costs will be based on actual tests and inspections performed and in accordance with the most current inspection rate schedule in effect for the fiscal year during which the work is accomplished. The indirect costs will be based on TxDOT's Indirect Cost Plan.
2. TxDOT's Construction Division, Materials and Pavements Section, Inspection & Testing Rates contained herein are based on established rates effective on July 13, 2004.
3. The attached list of inspections and testing rates is primarily for use with the Structural Branch and the Soils & Aggregates Branch. The other inspection and testing rates are provided as a contingency if the CTRMA subsequently requests services of the other Sections or Branches,



Construction Division, Materials Section Inspection & Testing Rates

Branch: Asphalt

Material	Units	Former Rate	Current Rate	Date Changed
Asphalt	Gallon	\$0.0030	\$0.0040	
Asphalt	Test	\$75.0000	\$100.0000	
Asphalt	Ton	\$0.7500	\$1.0000	
Asphalt (PG)	Test	\$0.0000	\$200.0000	
Backerboard	Test	\$40.0000	\$50.0000	
Bituminous Adhesive for Pavement Markers	Pound	\$0.0140	\$0.0180	
Bituminous Adhesive for Pavement Markers	Test	\$200.0000	\$250.0000	
Class 1 & 2, Two Component Synthetic Polymer Joint Sealer	Test	\$500.0000	\$625.0000	
Class 1 & 2, Two Component Synthetic Polymer Joint Sealer	Pound	\$0.0150	\$0.0190	
Class 3, Hot Poured Rubber Joint Sealant	Test	\$500.0000	\$625.0000	
Class 3, Hot Poured Rubber Joint Sealant	Pound	\$0.0150	\$0.0190	
Class 4, 5, & 7 Low Modulus Silicone/Polyurethane Sealant	Test	\$500.0000	\$625.0000	
Class 4, 5, & 7 Low Modulus Silicone/Polyurethane Sealant	Pound	\$0.0150	\$0.0190	
Class 9 & 10, Polymer Modified Asphalt Emulsion Joint Sealer	Pound	\$0.0150	\$0.0190	
Class 9 & 10, Polymer Modified Asphalt Emulsion Joint Sealer	Test	\$500.0000	\$625.0000	
Polymer Modified Asphalt Emulsion Crack Sealer	Test	\$0.0000	\$200.0000	
Preformed Fiber Material	Test	\$63.0000	\$50.0000	
Preformed Fiber Material	Sq. Foot	\$0.3200	\$0.3200	
Rubber Asphalt Crack Sealant Compound	Test	\$44.0000	\$200.0000	

Branch: Asphalt Branch

Material	Units	Former Rate	Current Rate	Date Changed
Bridge Deck Sealant and Adhesive (Type IV)	Test	\$0.0000	\$500.0000	01/05/2004

Branch: Bituminous

Material	Units	Former Rate	Current Rate	Date Changed
Bulk Specific Gravity of Molded Specimen (set of 3)	Test	\$0.0000	\$40.0000	
Moisture Content	Test	\$20.0000	\$25.0000	
Molding (Set of 3)	Test	\$0.0000	\$41.0000	
Pre-Coated Coverstone	Ton	\$0.5000	\$0.6300	
Pre-Mix	Ton	\$0.5000	\$0.6300	
Sieve Analysis	Test	\$15.0000	\$19.0000	
Theoretical Maximum Specific Gravity	Test	\$0.0000	\$45.0000	

Effective Tuesday, July 13, 2004

Page 1 of 7

Branch: Bituminous & Field

Material	Units	Former Rate	Current Rate	Date Changed
Coverstone	Ton	\$0.5000	\$0.6300	
Rapid Curing Patching Mix	Test	\$450.0000	\$563.0000	
Rapid Curing Patching Mix	Pound	\$0.0400	\$0.0500	

Branch: Cement Branch

Material	Units	Former Rate	Current Rate	Date Changed
Absorption Test	Test	\$18.0000	\$23.0000	
Charpy Impact	Test	\$90.0000	\$113.0000	

Branch: Chemical Branch

Material	Units	Former Rate	Current Rate	Date Changed
1, 1, 1, Trichlorethane	Test	\$156.0000	\$200.0000	
Acid Insolubles in Aggregate	Test	\$75.0000	\$100.0000	
Asphalt Extraction Solvent	Test	\$188.0000	\$250.0000	
Binder for Producing Grout or Concrete (Type VIII)	Test	\$0.0000	\$500.0000	
Concrete Adhesive (Type V)	Test	\$0.0000	\$500.0000	
De-icing Salt	Test	\$0.0000	\$450.0000	
Dowel & Tie Bar Adhesive/Epoxy (Type III)	Test	\$0.0000	\$500.0000	
Elastomeric Bearings	Ton	\$100.0000	\$150.0000	
Elastomeric Bearings	Test	\$408.0000	\$450.0000	
Elastomeric Bearings (Laminated)	Test	\$156.0000	\$200.0000	
Emulsifying Agent & Detergent	Test	\$125.0000	\$200.0000	
Epoxy - Segmental	Test	\$438.0000	\$500.0000	
Epoxy Coating for Concrete (Type X)	Test	\$0.0000	\$500.0000	
Fabric Joint Underseal	Test	\$94.0000	\$125.0000	
Fabric Underseal	Test	\$138.0000	\$175.0000	
Filter Fabric	Test	\$225.0000	\$275.0000	
Lime	Test	\$69.0000	\$125.0000	
Lime - Type B	Test	\$150.0000	\$200.0000	
Polyethylene Plastic Bags	Test	\$63.0000	\$100.0000	
Preformed Joint Seal and Adhesive	Test	\$188.0000	\$225.0000	
Quick Lime	Test	\$125.0000	\$175.0000	
Salt	Test	\$250.0000	\$300.0000	
Sign Plating	Sq. Ft.	\$0.0600	\$0.0750	
Silt Fence	Test	\$0.0000	\$250.0000	
Spelter Test	Test	\$56.0000	\$100.0000	
Traffic Cones	Test	\$219.0000	\$300.0000	
Traffic Marker Adhesive (Type II)	Test	\$0.0000	\$500.0000	
Vehicle Loop Sealant	Test	\$0.0000	\$500.0000	01/30/2004
Water Analysis	Test	\$219.0000	\$250.0000	
Waterproofing Membrane	Test	\$94.0000	\$150.0000	

Effective Tuesday, July 13, 2004

Branch: Coatings & Traffic Materials

Material	Units	Former Rate	Current Rate	Date Changed
Ballast - Only	Test	\$13.0000	\$50.0000	
Concrete Surface Finish (Clear)	Test	\$60.0000	\$75.0000	
Glass Traffic Beads	Test	\$0.0000	\$150.0000	
Luminaire - Only	Test	\$19.0000	\$20.0000	

Branch: Coatings & Traffic Materials
Branch

Material	Units	Former Rate	Current Rate	Date Changed
Clear Acrylic Sealer	Test	\$0.0000	\$50.0000	10/04/2002
Liquid Membrane Forming Compound for curing concrete	Test	\$200.0000	\$250.0000	03/08/2004

Branch: Coatings/Traffic Materials

Material	Units	Former Rate	Current Rate	Date Changed
Aluminum Sign Blanks	Test	\$45.0000	\$100.0000	
Coatings for Concrete Class B	Test	\$200.0000	\$250.0000	10/04/2002
Coatings for Concrete, Clear	Test	\$60.0000	\$100.0000	
Concrete Surface Treatment	Test		\$100.0000	
Concrete Surface Treatment, Penetrating	Test	\$50.0000	\$100.0000	
Delineator and Object Markers	Test	\$45.0000	\$100.0000	
Epoxy Powder Coating for Reinforced Steel	Test	\$135.0000	\$100.0000	
Flexible Delineator Posts	Test	\$80.0000	\$100.0000	02/04/2003
Fly Ash	Test	\$120.0000	\$250.0000	
Isopropyl Alcohol	Test	\$0.0000	\$100.0000	
Jiggle Bar Tiles	Test	\$160.0000	\$250.0000	
Lighting Assemblies - complete	Test	\$150.0000	\$550.0000	03/07/2002
Overhead Sign Background Coatings	Test	\$300.0000	\$100.0000	
Paint - Project	Test	\$200.0000	\$250.0000	
Paint Thinner	Test		\$100.0000	
Pavement Markers	Test	\$0.0000	\$250.0000	
Pavement Marking Tape	Roll	\$0.6000	\$0.7500	
Reflective Sheeting	Test	\$35.0000	\$100.0000	
Reflective Traffic Cone Sleeves	Test	\$40.0000	\$100.0000	10/04/2002
Retroreflective Prefabricated Pavement Marking Material	Test	\$75.0000	\$100.0000	
Safety Vests	Test	\$50.0000	\$100.0000	
Sign Reflector Units	Test	\$90.0000	\$100.0000	
Structural Paints	Test		\$250.0000	
Temporary Flexible-Reflective Roadway Marker Tabs	Test	\$50.0000	\$100.0000	
Thermoplastic Pavement Marking Material	Test		\$250.0000	
Traffic Buttons	Test	\$0.0000	\$250.0000	
Traffic Paint	Test	\$200.0000	\$100.0000	

Effective Tuesday, July 13, 2004

Branch: Concrete

Material	Units	Former Rate	Current Rate	Date Changed
High Strength Fasteners	Test	\$100.0000	\$125.0000	

Section: Concrete Branch

Material	Units	Former Rate	Current Rate	Date Changed
Acid Soluble Chloride in Concrete	Test	\$20.0000	\$25.0000	
Concrete Admixture	Test	\$100.0000	\$125.0000	
Concrete Blocks	Test	\$16.0000	\$20.0000	
Concrete Chloride Analysis	Test	\$65.0000	\$81.0000	

Branch: Concrete/Cement

Material	Units	Former Rate	Current Rate	Date Changed
Cement, Type I, I-A, II and III	Barrel	\$0.0500	\$0.0600	
Compression Test	Test	\$27.0000	\$34.0000	
Concrete M.O.E.	Test	\$30.0000	\$38.0000	
Hardness (Brn & Hr)	Test	\$20.0000	\$25.0000	
Linear Traverse	Test	\$225.0000	\$280.0000	
Low-Relaxation Strand	Test	\$50.0000	\$64.0000	
Multi-Piece Tie Bar	Test	\$12.0000	\$15.0000	
Petrographic Analysis	Test	\$250.0000	\$313.0000	
Quick Set Concrete	Test	\$100.0000	\$125.0000	
Sand Briquettes	Test	\$40.0000	\$50.0000	
Steel Strand M.O.E.	Test	\$20.0000	\$25.0000	
Strand Tension Test	Test	\$10.0000	\$13.0000	
Tension Test	Test	\$35.0000	\$44.0000	

Section: Core Drill

Material	Units	Former Rate	Current Rate	Date Changed
Core Drill	Test	\$26.0000	\$33.0000	

Branch: Materials

Material	Units	Former Rate	Current Rate	Date Changed
All Materials Sampling	HR	\$0.0000	\$27.5000	06/27/2002
Bridge Inspection	HR	\$0.0000	\$33.3300	11/19/2002
Bridge Inspection - Overtime	HR	\$50.0000	\$49.9950	01/21/2003
Travel Expense, Public Transportation	Each	\$0.0000	\$1.0000	03/27/2003

Branch: Soils & Aggregates

Material	Units	Former Rate	Current Rate	Date Changed
Bar Linear Shrinkage	Test	\$0.0000	\$30.0000	
Coarse Aggregate Analysis	Test	\$45.0000	\$56.0000	
Concrete Aggregates	Cubic yard	\$0.0400	\$0.0500	
Consolidation/Swell	Test	\$300.0000	\$375.0000	

Decantation	Test	\$20.0000	\$25.0000
Deleterious Materials	Test	\$20.0000	\$25.0000
Differential Wear	Test	\$23.0000	\$29.0000
Differential Wear (W.O.Polish Value)	Test	\$140.0000	\$175.0000
Direct Shear	Test	\$150.0000	\$188.0000
Fine Aggregate Analysis	Test	\$40.0000	\$50.0000
Flakiness Index	Test	\$30.0000	\$38.0000
Freeze - Thaw	Test	\$75.0000	\$94.0000
Hydrometer Analysis	Test		
Lime Fly Ash	Test		
Los Angeles Abrasion	Test	\$35.0000	\$44.0000
Natural Aggregates	Cubic yard	\$0.0150	\$0.0190
Organic Impurities	Test	\$16.0000	\$20.0000
Particle Count Test	Test	\$10.0000	\$13.0000
Percent Limestone	Test	\$60.0000	\$75.0000
Polish Value	Test	\$150.0000	\$188.0000
Pressure Slaking	Test	\$50.0000	\$63.0000
Resistivity of Soils	Test	\$55.0000	\$69.0000
Sand Equivalent Value	Test	\$22.0000	\$28.0000
Screen Analysis	Test	\$25.0000	\$31.0000
Soil Constants	Test	\$100.0000	\$125.0000
Soil Permeability	Test	\$75.0000	\$94.0000
Soil pH	Test	\$50.0000	\$63.0000
Soundness	Test	\$60.0000	\$75.0000
Specific Gravity	Test	\$26.0000	\$33.0000
Synthetic Aggregates	Cubic yard	\$0.1500	\$0.1900
Triaxial, Consolidated - Undrained	Test	\$300.0000	\$375.0000
Triaxial, TEX-117-E	Test		
Triaxial, Unconsolidated - Undrained	Test	\$35.0000	\$44.0000
Unit Weight	Test	\$20.0000	\$25.0000
Wet Ball Mill	Test	\$18.0000	\$23.0000

Branch: Structural

Material	Units	Former Rate	Current Rate	Date Changed
Anchor Bolts-Bearings, Sign, Illuminated, Etc.	Each	\$1.2000	\$1.5000	
Anchor Bolts-Railing	Each	\$0.4000	\$0.5000	
Bridge Protective Angle	Each	\$15.0000	\$19.0000	
Bridge Protective Assembly	Each	\$15.0000	\$19.0000	
Bridge Protective Bracket	Each	\$10.0000	\$13.0000	
Concrete Box Culverts	Linear Foot	\$0.4500	\$0.5600	
Disc/Pot Bearing	Each	\$80.0000	\$100.0000	
Double Wal Panel	Sq. Foot	\$0.3000	\$0.3800	
Double Wal Parapet	Sq. Foot	\$0.1500	\$0.1900	

Effective Tuesday, July 13, 2004

Elastomeric Bearings (Laminated)	Each	\$1.8800	\$2.5000	
Elastomeric Bearings (Plain)	Each	\$2.5000	\$1.8800	
Elastomeric Bearings (Sliding)	Each	\$20.0000	\$25.0000	
Elastomeric Laminated Bearing Assembly	Each	\$0.0000	\$10.0000	06/11/2002
Galvanized Pipe Sign Post	Linear Foot	\$0.2500	\$0.3100	
High Mast Illumination Assembly Ring	Each	\$45.0000	\$56.0000	
High Mast Illumination Poles	Each	\$150.0000	\$188.0000	
Mast Arms	Each	\$1.1000	\$1.3800	
MBGF Steel Line Post	Each	\$0.9000	\$1.1300	
MBGF Steel Spacer Blocks	Each	\$0.3500	\$0.4400	
Misc. Structural Steel	Pound	\$0.0200	\$0.0250	
Post-Aluminum	Each	\$1.2500	\$1.5600	
Posts-Steel	Each	\$0.9000	\$1.1300	
Precast Concrete Arch Unit	Linear Foot	\$4.0000	\$5.0000	
Precast Concrete Coping	Linear Foot	\$1.4000	\$1.7500	
Precast Concrete Traffic Barrier	Linear Foot	\$0.0070	\$0.0088	
Precast Headwalls	Each	\$20.0000	\$25.0000	
Precast Wall Panels	Square Foot	\$0.2600	\$0.3100	09/12/2002
Prestressed Concrete Box Beams	Linear Foot	\$2.5000	\$3.1300	
Prestressed Concrete Panels	Sq. Foot	\$0.1000	\$0.1300	
Prestressed Concrete Piling	Linear Foot	\$0.7000	\$0.8800	
Prestressed Concrete Sheet Piling	Sq. Foot	\$0.4000	\$0.5000	
Prestressed Concrete Tee, Slab, & I-Beams	Linear Foot	\$1.0500	\$1.3100	10/03/2002
Prestressed Concrete Trap. Beams	Linear Foot	\$4.0000	\$4.5000	
Prestressed Concrete U-Beams	Linear Foot	\$4.3800	\$4.5000	
Railing	Linear Foot	\$0.1700	\$0.2100	
Reinforced Concrete Pipe	Linear Foot	\$0.1600	\$0.2000	
Reinforcing Steel (Plain or Epoxy Coated)	Pound	\$0.0009	\$0.0011	
Roadway Illumination Poles	Each	\$15.0000	\$19.0000	
Segmental Prestressed Units	Linear Foot	\$70.0000	\$88.0000	
Sign Support Bridges	Linear Foot	\$2.0000	\$2.5000	
Sign Walkway	Linear Foot	\$0.5500	\$0.6900	
Signs	Sq. Foot	\$0.2500	\$0.3100	
Spacer Blocks-Steel	Each	\$0.3500	\$0.4400	
Structural Bolts and Fasteners	Each	\$0.0000	\$0.2500	
Structural Steel Bridge Girders	Pound	\$0.0160	\$0.0200	
T-6 Rail Steel Line Post	Each	\$0.9000	\$1.1300	
T-6 Rail Tube	Linear Foot	\$0.3000	\$0.3800	
Terminal Anchor Posts	Each	\$0.0000	\$1.2500	
Transformer Bases for Roadway Illuminated Poles	Each	\$4.0000	\$5.0000	
Treated Block Outs (Guard Rail)	Each	\$0.3600	\$0.4500	
Treated Lumber	Board Foot	\$23.0000	\$29.0000	

Effective Tuesday, July 13, 2004

Treated Lumber	Thousand Bc	\$23.0000	\$29.0000	
Treated Piling	Linear Foot	\$0.1700	\$0.2100	
Treated Posts (Guard Rail)	Each	\$0.6300	\$0.7900	
Treated Service Poles	Each	\$3.6000	\$4.5000	



MEMORANDUM

TO: Administration
District Engineers
Division Directors
Office Directors

FROM: James M. Bass
Director, Finance Division

SUBJECT: FY 2004 – Indirect Costs

August 4, 2003

Indirect cost rates, approved by the Federal Highway Administration, for general and administrative costs have been established for FY 2004. The statewide district rate is 7.27% and this includes the division rate of 4.18%. The statewide district rate is for billing individuals and local entities outside the department and should be utilized by all districts. Divisions and offices will use the 4.18% rate for billing purposes. These new rates are not retroactive and they will not change contracts negotiated under FY 2003 rates. The new rates are effective beginning September 1, 2003.

For federal billing and managerial reporting purposes only, district indirect costs will continue to be distributed to projects within the FIMS system using separate rates for each district. The attached document indicates each district's combined rate, which includes the division and office rate of 4.18%.

It is important that every individual involved in setting fees, negotiating contracts, or performing cost recovery functions be made aware of these new rates. Please distribute this memo accordingly.

All questions should be directed to Diana Smith at (512) 374-5456.

A handwritten signature in black ink that reads "James M. Bass".

cc: Commission Office

FY 2004 District Indirect Cost Rates

DISTRICT	Combined District Rate
Abilene	9.42%
Amarillo	6.72%
Atlanta	7.36%
Austin	7.14%
Beaumont	9.19%
Brownwood	11.24%
Bryan	7.11%
Childress	7.78%
Corpus Christi	8.05%
Dallas	6.16%
El Paso	8.38%
Ft. Worth	7.27%
Houston	7.13%
Laredo	8.27%
Lubbock	7.14%
Lufkin	7.32%
Odessa	11.94%
Paris	7.52%
Pharr	6.65%
San Angelo	10.60%
San Antonio	6.76%
Tyler	8.86%
Waco	8.80%
Wichita Falls	10.23%
Yoakum	7.04%

* These rates represent each district's individual rate plus the statewide administration rate of 4.18%.

NOTE: The above rates are posted to the project ledgers and are used to bill FHWA for general and administrative costs. A statewide rate of 7.27% should be used by all districts when billing individuals and local entities. Divisions and Offices should use a rate of 4.18% for billing purposes.

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

RESOLUTION NO. 04-54

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, the CTRMA is charged with funding and developing transportation improvements throughout the region to help solve the current mobility crisis and to improve the quality of life for residents of Central Texas; and

WHEREAS, CTRMA staff, working in partnership with the Austin District of the Texas Department of Transportation ("TxDOT"), developed a proposed "CTRMA/TxDOT Regional Implementation Program" (the "Program") which provides for the funding and development of various transportation system improvements through tolling of new roadway capacity; and

WHEREAS, implementation of the Program required amendments to the "2025 Transportation Plan" and the "Transportation Improvement Program" by the Capital Area Metropolitan Planning Organization ("CAMPO"); and

WHEREAS, CAMPO voted to approve the Program after adopting several resolutions affecting certain projects in the Program and encouraging the CTRMA to initiate various processes and implement certain procedures; and

WHEREAS, one of the resolutions encourages the CTRMA to consider certain factors in the establishment of tolling policies and to initiate a process for receiving public input on the establishment of such policies; and

WHEREAS, the CTRMA Planning Committee, working with staff and the CTRMA's consultants, has initiated a process for receiving public input on tolling policies and has developed draft recommendations concerning tolling policies for the purposes of receiving further public input; and

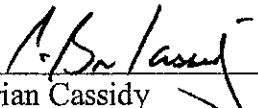
WHEREAS, the Planning Committee recommends for consideration by the full Board for purposes of receiving public input the draft tolling policies in Attachment "A";

NOW THEREFORE, BE IT RESOLVED, that CTRMA Board of Directors approves for public comment the draft tolling policies recommended by the CTRMA Planning Committee attached hereto as Attachment "A"; and

BE IT FURTHER RESOLVED, that the Board of Directors will hold a public hearing on the draft tolling policies November 10, 2004 at 7:00 p.m. at the Norris Conference Center located in Northcross Mall, 2525 West Anderson Lane, Austin, Texas.

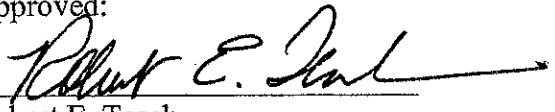
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of October, 2004.

Submitted and reviewed by:



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

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-54
Date Passed 10/27/04

Toll Policy	Level of Flexibility (LOF)	DRAFT Proposed CTRMA Toll Policy
Primary Issues		
Toll Collection Operating Policies		
Discount for using ETC lanes	2	10% ETC Discount (for a valid Toll Tag transaction).
Speed Enforcement in Toll Lanes		The CSC will not be used to notify patrons of speed violations.
Customer Service Center/ Violation Processing Center Operating Policies		
House Bill 3588	1	All users of CTRMA toll roads, with the exception of emergency vehicles, are required to pay a toll. Introductory incentive programs will be funded as Marketing Expenses.
Dealing with customers that use toll tag lanes without toll tags.	2	<p>If a patron who realizes they caused a non-tag transaction contacts the CSC and establishes (or re-establishes, if the patron is a customer with an invalid account) a valid funded account within 3 days after the non-tag transaction was committed, the administrative fee will be waived, and the toll amount will be deducted from the account balance.</p> <p>In the event that the non-tag customer does not post to a valid account within that timeframe, the non-tag customer will receive a "Notice of Nonpayment" for the toll amount plus a \$25 administrative fee. If the non-tag customer contacts the CSC within 30 days after the notice is mailed and establishes (or re-establishes) a valid funded account, part or all of the administrative fee may be waived, and the remainder of the fee plus the original toll will be deducted from the account balance.</p> <p>Have a graduated waiver of non-tag transactions for over an 18 month period, i.e. first 6 months waive all; second 6 months waive \$15; third 6 months waive \$10. After 18-24 months, no more waivers.</p>
Violation Enforcement Strategies	3	If the notice amount is not received or posted to a valid account within 30 days after the notice is mailed, the non-tag transaction becomes a violation and a Collection Agency will be used to attempt collection of the amount owed plus the additional Collection Agency's fee. If after 90 days, the Collection Agency is unsuccessful in collecting the amount owed, the violator will be issued a court citation subject to the toll amount due, plus a \$100 administrative fee, plus court costs and a court fine of up to \$250.
Establish ETC Tag Account Types		
Individual -- prepaid	2	Individual accounts (Registered or Unregistered) are pre-paid, and can be established and maintained by credit card, debit card, ACH, money order, check, and/or cash.
Individual -- commuter (discount)	2	Other than the 10% ETC discount (see above), no specific commuter/frequent-user discount is available.
Individual -- HOV (discount)	2	Other than the 10% ETC discount (see above), no specific HOV discount is available.
Non-revenue (defined by law or policy)	1	<p>A Non-Revenue Account shall only be established for any organization which is explicitly exempt from the payment of tolls by state statute or CTRMA rules/regulations, and which is approved for non-revenue status by CTRMA.</p> <p>Non-Revenue tags/accounts will not be issued to emergency vehicles, however, marked emergency vehicles will be processed as a non-revenue U/O by the toll collector, or in the back-office by the rejection of the violation image.</p>
Business -- prepaid	2	Business accounts (Commercial) are pre-paid, and can be established and maintained by credit card, debit card, ACH, money order, check, and/or cash.
Business -- charge (bond posted)	2	Post-paid accounts are not supported.

Toll Policy	Level of Flexibility (LOF)	DRAFT Proposed CTRMA Toll Policy
Transponder Policy		
Deposit or Purchase of toll tag required	2	Tags are provided to customers (with an account) at no cost.
Tag remains the property of (CTRMA/TxDOT)	1	The tag will remain the property of CTRMA/TTA. Any remaining balances in account will be returned to customer upon return of Toll Tag.
Businesses	2	Same as Transponder Policies above.
Transponder Distribution		
How are tags distributed	3	<p>Tags are mailed a customer who opens their account or requests an additional tag via:</p> <ul style="list-style-type: none"> - Phone - IVR - Web-site - Fax - E-mail - Mail - On-line Retail Outlets <p>A customer may obtain (pick-up) a tag via:</p> <ul style="list-style-type: none"> - Walk-in (CSC or Remote Counter) - Kiosk - Vending Machine - Retail Outlet (on-line or off-line) - Lane attendant
Establish Account Set-up and Maintenance Fees		
Individual - Initial Deposit	2	One tag, \$20 minimum account setup, low balance notification @ \$10.00 with minimum balance \$0.50 (each additional tag requires an additional \$20 setup amount). See Table 2 - (Account Parameters - Registered Accounts) and Table 3 (Fees & Charges).
Individual - Pre-paid Account	2	One tag, \$20 minimum account setup, low balance notification @ \$10.00 with minimum balance \$0.50 (each additional tag requires an additional \$20 setup amount). No replacement of lost or stolen tags. See Table 2 (Account Parameters - Unregistered Account
Business - Initial Deposit	2	Unlimited number of free tags (minimum 6 tags), \$30 per tag account setup. Low balance notification @ 1/2 of starting account balance with minimum balance \$0.50. See Table 2 (Account Parameters- Commercial Accounts) and Table 3 (Fees & Charges).

Toll Policy	Level of Flexibility (LOF)	DRAFT Proposed CTRMA Toll Policy
Secondary Issues		
Introductory Program Options		
Incentive offers	3	\$10 of free tolls for a new CTRMA customer (per account)
Customer Friendly Violation Enforcement Process	3	(See above)
Payment Methods		
Cash	2	Cash accepted at/via: - Walk-in (CSC or Remote Counter) - Mail - Kiosks (on-line) - Retail Outlet - Lane attendant
Check	2	Checks and Money Orders accepted at/via: - Walk-in (CSC or Remote Counter) - Mail - Retail Outlet - Lane attendant
Credit Card	2	Credit Cards (and Debit Cards not requiring PINs) accepted at/via: - Walk-in (CSC or Remote Counter) - Phone - IVR - Web-site - Fax - E-mail - Mail - Kiosks (on-line) - Retail Outlet
Debit Card		See Credit Card information above. Debit Cards requiring PINs are not supported.
Account Set Up Methods		
Mail In	2	Signatures are not required to establish an account. Tag usage acknowledges customer's acceptance of the program's Terms and Conditions. People may establish a Registered Account at/via: - Walk-in - Phone - Web-site - Fax - E-mail - Mail - Kiosk (on-line) - Retail Outlet (on-line)
Fax In	2	
Walk In	2	
Phone In	2	
Web Access	2	
In addition, people may obtain a tag kit for an Unregistered Account at/via: - Walk-in - Retail Outlet - Vending Machine - Lane attendant		

Toll Policy	Level of Flexibility (LOF)	DRAFT Proposed CTRMA Toll Policy
Account Terms and Conditions		
Individual	2	Individual
Non Revenue	2	Non Revenue
Business	2	Business
Toll Disputes		
Toll Dispute Processing	2	Customers may dispute a violation via the web-site or by contacting the Customer Service Center (CSC) by walk-in, phone, mail, e-mail, or fax.
Others Issues		
Other ETC Tag Account Types		
LEV	3	10% Toll Tag Discounts
CAP Metro Bus	3	10% Toll Tag Discount - same rate as cars
School Bus	3	10% Toll Tag Discount - same rate as cars
Emergency Vehicles	1	Non-Revenue tags/accounts will not be issued to emergency vehicles, however, marked emergency vehicles will be processed as a non-revenue U/O by the toll collector, or in the back-office by the rejection of the violation image.
Time of day/congestion pricing	3	No congestion pricing
Daily use fee	2	No daily use fee
Express buses	3	10% Toll Tag Discount - same rate as cars
Other mass transit providers	3	10% Toll Tag Discount - same rate as cars
Toll Road Opening Programs		
Discount for new customers		\$10 free tolls on new toll tag issue.
Discounts for CTRMA tag users		See Introductory Program options.
Step or No Charge for Introductory Period		Six-month Introductory Period: Four weeks free usage for all. Up to eight weeks free usage for toll tag customers and 50% reduction for toll tag customers for additional four months.
Commuter Discount		None
HOV Discount		None
LEV Discount		None

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

RESOLUTION NO. 04-55

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") is empowered to procure such goods and services as it deems necessary to assist with its operations and to study and develop potential transportation projects; and

WHEREAS, close scrutiny of CTRMA expenditures for goods and services, including those related to project development, is the responsibility of the Board of Directors and its designees through procedures the board may implement from time to time; and

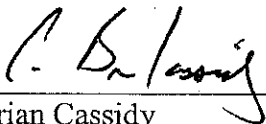
WHEREAS, the Board of Directors has adopted policies and procedures intended to provide strong fiscal oversight and which authorize the Executive Director, working with the CTRMA's accountant, to review invoices and approve disbursements; and

WHEREAS, the Executive Director, working with the CTRMA's accountant, has reviewed and authorized the disbursements listed on the disbursements report titled "Summary of Expenditures" from September 24, 2004 to October 21, 2004, included herewith as Attachment "A";

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors accepts the Disbursements Report included as Attachment "A".

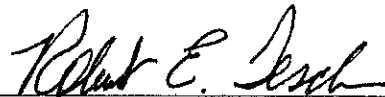
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of October, 2004.

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 04-55
Date Passed 10/27/04

Central Texas Regional Mobility Authority

Attachment "A" to CTRMA Board Resolution No. 04-55

Summary of Expenditures 9/24/04 - 10/21/04

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Description</u>	<u>Amount</u>
Chase Business Credit Card	09/24/04	11165	Credit Card: Travel, computer, etc.	3,022.42
CNA Surety	09/24/04	11166	Insurance/Bonds	250.00
Helin, Donovan, Trubee & Wilkinson	09/24/04	11167	Audit	6,780.00
Mike Heiligenstein	09/28/04	11168	Auto Allowance	650.00
Williamson County	09/28/04	ACH Debit	Executive Director Compensation	5,992.23
Forkner, Cynthia L.	10/01/04	11169	Administrative Asst Compensation	476.98
Chase Bank	10/01/04	11170	Payroll Taxes for Admin Asst	237.54
Williamson County	10/12/04	ACH Debit	Executive Director Compensation	5,992.22
Forkner, Cynthia L.	10/15/04	11171	Administrative Asst Compensation	493.29
Chase Bank	10/15/04	11172	Payroll Taxes for Admin Asst	241.42
Texas Workforce Commission	10/15/04	11173	Payroll Taxes for Admin Asst	71.93
First Southwest Company	10/18/04	11174	Consulting	7,083.33
Locke Liddell & Sapp LLP	10/18/04	11175	Legal Fees	131,680.41
Owen Consulting	10/18/04	11176	Review of engineering bills	9,600.00
Austin American Statesman	10/18/04	11177	Public Notices	500.40
Helin, Donovan, Trubee & Wilkinson	10/18/04	11178	Audit	1,000.00
K.Jansing	10/18/04	11179	Photography	125.00
Kennedy Reporting Service, Inc.	10/18/04	11180	Board Meeting Minutes	770.60
Pena Swayze & Co., L.L.P.	10/18/04	11181	Accounting Fees	2,985.02
Robert E. Tesch	10/18/04	11182	Reimbursed expenses	791.95
ULI - Urban Land Institute	10/18/04	11183	Dues/Subscriptions	190.00
AT&T Wireless	10/21/04	11184	Cell Phone-Heiligenstein	534.85
				179,469.59

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

RESOLUTION NO. 04-56

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, pursuant to Chapter 370 of the Texas Transportation Code RMAs are authorized to pursue and develop a wide variety of transportation projects, including congestion management projects; and

WHEREAS, on October 16, 2003, the CTRMA Board of Directors approved Resolution No. 03-53 approving the entry into an interlocal agreement with Williamson County (the "County") providing for the transfer of funds directly to the CTRMA; and

WHEREAS, that agreement identified the funds to be transferred as coming from the County's "2000 General Obligation Road Bond Program" and restricted the use of the funds to expenditures exclusively for the development of US 183-A; and

WHEREAS, the County and the CTRMA have agreed that the transferred funds should instead originate from the County's general revenues and be able for use by the CTRMA for any lawful purpose; and

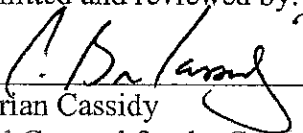
WHEREAS, the County and the CTRMA desire to amend the previous interlocal agreement accordingly;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby approves the amendment to the interlocal agreement between Williamson County and the CTRMA as set forth in Attachment "A"; and

BE IT FURTHER RESOLVED, that the Chairman be authorized to execute such amendment to the interlocal agreement on behalf of the CTRMA.

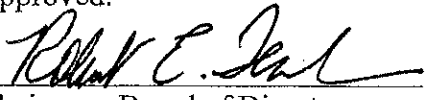
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of October, 2004.

Submitted and reviewed by:



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

Approved:



Chairman, Board of Directors
Resolution Number 04-56
Date Passed 10/27/04

**FIRST AMENDMENT TO
INTERLOCAL AGREEMENT**

THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT is made and entered into effective this ____ of _____, 2004, by and between WILLIAMSON COUNTY (the "County") and the CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY (the "Authority"), political subdivisions of the State of Texas.

WITNESSETH:

WHEREAS, effective as of September 30, 2003, the County and the Authority entered into an Interlocal Agreement providing for the transfer of \$300,000 from the County's 2000 General Obligation Road Bond Program to pay for various items related to the proposed US 183-A turnpike project; and

WHEREAS, the use of those proceeds were restricted to expenditures exclusively related to the development of the US 183-A turnpike project; and

WHEREAS, the County and the Authority have agreed that it would be advantageous for both parties if the funds made available by the County were not restricted exclusively to uses related to the US 183-A turnpike project, but instead are available for use by the Authority for any lawful purpose, including the development of US 183-A; and

WHEREAS, the County and the Authority desire to amend the Interlocal Agreement to reflect this desire;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and contained in the original agreement, the undersigned Parties agree as follows:

**I.
FINDINGS**

1. **Recitals.** The recitals set forth above are incorporated herein for all purposes and are found by the parties to be true and correct. It is further found and determined that the County and the Authority has authorized and approved this Agreement by resolution or order adopted by their respective bodies, and that this Agreement will be in full force and effect when approved by each party.

**II.
ACTIONS**

1. **Amendment to Previous Interlocal Agreement.** In light of the recitals set forth above, the Parties desire amend the Interlocal Agreement in the following respects:

A. The portion of the original Interlocal Agreement which provides as follows:

“WHEREAS, the County has previously set aside funds from the 2000 General Obligation Road Bond Program to pay for various items relating to the proposed US 183-A turnpike project; and”

shall be amended and replaced in its entirety with the following language:

“WHEREAS, the County desires to make available from its General Fund funds to assist the Authority in executing all lawful purposes of its operations, including without limitation the activities necessary for development of the US 183-A turnpike project; and”.

B. Section II, Paragraph 2, which currently reads as follows:

“2. Acceptance of Transfer. The Authority hereby accepts the transfers of said funds and pledges to utilize said funds exclusively for the development of the US 183-A turnpike project.”

is replaced in its entirety with the following:

“2. Acceptance of Transfer. The Authority hereby accepts the transfer of said funds and pledges to utilize said funds in pursuit of the lawful business of the Authority, including without limitation,

the development of the US 183-A turnpike project. The Authority further agrees that (a) it shall submit to the County an annual budget for the Authority's next fiscal year; (b) all expenditures of funds provided under this Agreement shall comply with that budget; and (c) it will to submit to the County, no less than quarterly, a report detailing how the Authority expended any and all funds received under this Agreement during that quarter. The County reserves the right to subject the Authority's records pertaining to this Agreement to an audit by the Williamson County Auditor. In such event, the Authority agrees to fully cooperate with the County, including making available any and all records necessary for the audit."

**III.
GENERAL AND MISCELLANEOUS**

2. All other provisions of the Interlocal Agreement shall remain in full force and effect and shall not be affected or amended by this Agreement.

IN WITNESS WHEREOF, the Parties have executed and attested this Agreement by the officers thereunto duly authorized.

WILLIAMSON COUNTY

By: _____
JOHN DOERFLER
County Judge
Williamson County, Texas

**CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY**

By: _____
ROBERT TESCH, Chairman