



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

Regular Meeting of the Board of Directors

9:00 a.m.

Wednesday, July 27, 2022

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

*A live video stream of this meeting may be viewed on the internet at
www.mobilityauthority.com*

Note to members of the public. Pursuant to Texas Transportation Code Section 370.262, this meeting will be held by telephone conference call. Some Board Members may be present in the Lebermann Board Room while others may participate remotely. In order to maintain safe social distancing, you may view the Board Meeting online via the live stream link on our website. Members of the public that wish to join the conference call to provide comments to the Board remotely must register at least 30 minutes prior to the scheduled start time by contacting the Central Texas Regional Mobility Authority at (844) 287-6220.

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

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

AGENDA

No action on the following:

1. Welcome and opportunity for public comment – See **Notes** at the end of this agenda.

Consent Agenda

*See **Notes** at the end of this agenda.*

2. Approve the minutes from the June 29, 2022 Regular Board Meeting.

3. Prohibit the operation of certain vehicles on Mobility Authority toll facilities pursuant to the Habitual Violator Program.

Regular Items

Items to discuss, consider, and take appropriate action.

4. Discuss and consider approving Supplement No. 7 to Work Authorization No. 2 with Atkins North America Inc. for general engineering services related to the 183 South Project.

Briefings and Reports

Items for briefing and discussion only. No action will be taken by the Board.

5. Quarterly project updates.
 - A. 183A Phase III
 - B. 183 North Mobility Project
6. Executive Director Report.
 - A. Agency performance metrics.
 - (i) Roadway performance
 - (ii) Call-Center performance

Executive Session

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

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

7. Discuss the sale, transfer, or exchange of one or more parcels or interests in real property owned by the Mobility Authority and related legal issues as authorized by §551.071 (Consultation with Attorney) and §551.072 (Deliberation Regarding Real Property; Closed Meeting).

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

Reconvene in Open Session.

Regular Items

Items to discuss, consider, and take appropriate action.

11. Adjourn Meeting.

Notes

Opportunity for Public Comment. At the beginning of the meeting, the Board provides a period of up to one hour for public comment on any matter subject to the Mobility Authority's jurisdiction. Each speaker is allowed a maximum of three minutes. A person who wishes to address the Board must register in advance and provide the speaker's name, address, phone number and email, as well as the agenda item number and whether you wish to speak during the public comment period or during the agenda item. If a speaker's topic is not listed on this agenda, the Board may not deliberate the speaker's topic or question the speaker during the open comment period, but may direct staff to investigate the matter or propose that an item be placed on a subsequent agenda for deliberation and possible action by the Board. The Board may not deliberate or act on an item that is not listed on this agenda.

Consent Agenda. The Consent Agenda includes routine or recurring items for Board action with a single vote. The Chairman or any Board Member may defer action on a Consent Agenda item for discussion and consideration by the Board with the other Regular Items.

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

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

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

Sec. 370.262. MEETINGS BY TELEPHONE CONFERENCE CALL.

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

Mobility Authority Board Meeting Agenda
Wednesday, July 27, 2022

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

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

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

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

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

~~(1) an emergency or public necessity exists within the meaning of Section 551.045 of this chapter; and~~

~~(2) the convening at one location of a quorum of the governmental body is difficult or impossible; or~~

~~(3) the meeting is held by an advisory board.~~

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

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

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

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



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #1

Welcome and opportunity for public
comment

Welcome and opportunity for public comment.
No Board action required.



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #2

Approve the minutes from the June 29,
2022 Regular Board Meeting

Strategic Plan Relevance: Regional Mobility
Department: Legal
Contact: Geoff Petrov, General Counsel
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on motion to approve minutes

Description/Background: Approve the attached draft minutes for the June 29, 2022,
Regular Board Meeting.

Backup provided: Draft minutes

MINUTES

Regular Meeting of the Board of Directors of the CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Wednesday, June 29, 2022

9:00 a.m.

This was an in person and telephone conference call meeting. Notice of the meeting was posted June 24, 2022 online on the website of the Mobility Authority and in the Mobility Authority's office lobby at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849. Chairman Robert Jenkins, Vice Chair Nikelle Meade and Board Members David Singleton, Heather Gaddes* and Mike Doss** were present in the Lebermann Board Room. Board Member David Armbrust and Jay Blazek Crossley participated on the telephone conference call.

An archived copy of the live-streamed audio of this meeting is available at:

<https://mobilityauthority.swagit.com/play/06302022-555>

After noting that a quorum of the Board was present, Chairman Jenkins called the meeting to order at 9:03 a.m. and had each Board Member who called in state their name for the record and confirm that they could both hear and be heard by all other attendees that were present in-person or on the phone.

1. Welcome and opportunity for public comment.

No comment was provided.

Consent Agenda

2. Approve the minutes from the June 29, 2022 Regular Board Meeting.
3. Prohibit the operation of certain vehicles on Mobility Authority toll facilities pursuant to the Habitual Violator Program.

ADOPTED AS:	RESOLUTION NO. 22-025
MOTION:	Approve Item Nos. 2 and 3.
RESULT:	Approved (Unanimous); 5-0
MOTION:	Nikelle Meade
SECONDED BY:	David Singleton
AYE:	Armbrust, Crossley, Jenkins, Meade, Singleton
NAY:	None.

Regular Items

4. Accept the financial statements for May 2022.

Presentation by Jose Hernandez, Chief Financial Officer and Mary Temple, Controller.

ADOPTED AS: **RESOLUTION NO. 22-026**

MOTION: Accept the financial statements for May 2022.
RESULT: Approved (Unanimous); 6-0
MOTION: Nikelle Meade
SECONDED BY: David Singleton
AYE: Armbrust, Crossley, Gaddes, Jenkins, Meade, Singleton
NAY: None.

*Note: Heather Gaddes arrived at the dais at 9:15 a.m.

5. Discuss and adopt the FY 2023 Operating Budget.

Presentation by James M. Bass, Executive Director.

ADOPTED AS: **RESOLUTION NO. 22-027**

MOTION: Adopt the FY 2023 Operating Budget.
RESULT: Approved (Unanimous); 7-0
MOTION: David Singleton
SECONDED BY: Heather Gaddes
AYE: Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton
NAY: None.

**Note: Mike Doss arrived at the dais at 9:23 a.m.

6. Discuss and consider approving Amendment No. 2 to the agreement with Deloitte Consulting, LLP for continued development of the data platform and associated transaction routing and system interfaces to support toll transaction management.

Presentation by Greg Mack, Assistant Director of IT and Toll Systems.

ADOPTED AS: **RESOLUTION NO. 22-028**

MOTION: Approve Amendment No. 2 to the agreement with Deloitte Consulting, LLP for continued development of the data platform and associated transaction routing and system interfaces to support toll transaction management.
RESULT: Approved (Unanimous); 7-0
MOTION: David Singleton
SECONDED BY: Mike Doss
AYE: Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton

NAY: None.

7. Discuss and consider approving an agreement with Deloitte Consulting, LLP for toll operations and maintenance services related to the Mobility Authority's Data Platform Project.

Presentation by Greg Mack, Assistant Director of IT and Toll Systems.

ADOPTED AS: **RESOLUTION NO. 22-029**

MOTION: Approve an agreement with Deloitte Consulting, LLP for toll operations and maintenance services related to the Mobility Authority's Data Platform Project.

RESULT: Approved (Unanimous); 7-0

MOTION: Mike Doss

SECONDED BY: Nikelle Meade

AYE: Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton

NAY: None.

8. Discuss and consider approving Amendment No. 2 to the Kapsch Restated Maintenance Agreement for the incorporation of updated key performance indicators and clarification of maintenance pricing for Intelligent Transportation System services.

Presentation by Tracie Brown, Director of Operations.

ADOPTED AS: **RESOLUTION NO. 22-030**

MOTION: Approve Amendment No. 2 to the Kapsch Restated Maintenance Agreement for the incorporation of updated key performance indicators and clarification of maintenance pricing for Intelligent Transportation System services.

RESULT: Approved (Unanimous); 7-0

MOTION: Heather Gaddes

SECONDED BY: Nikelle Meade

AYE: Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton

NAY: None.

9. Discuss and consider approving agreements with the Travis County Sheriff's Office for habitual violator road enforcement services.

Presentation by Tracie Brown, Director of Operations.

ADOPTED AS: **RESOLUTION NO. 22-031**

MOTION: Approve agreements with the Travis County Sheriff's Office for habitual violator road enforcement services.

RESULT: Approved (Unanimous); 7-0

MOTION: Heather Gaddes
SECONDED BY: Nikelle Meade
AYE: Armbrust, Crossley, Doss, Gaddes, Jenkins, Meade, Singleton
NAY: None.

Briefings and Reports

10. Executive Director Report.

Presentation by James M. Bass, Executive Director.

Lloyd Chance, Assistant Director of Engineering – Construction was recognized for his years of service at the Mobility Authority.

A. Agency performance metrics.

- (i) Roadway performance
- (ii) Call Center performance

Executive Session

Chairman Jenkins announced in open session at 10:33 a.m. that the Board would recess the meeting and reconvene in Executive Session to deliberate the following items:

- 11.** Discuss legal issues related to claims by or against the Mobility Authority; pending or contemplated litigation and any related settlement offers; or other matters as authorized by §551.071 (Consultation with Attorney).
- 12.** Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects and toll system improvements, as authorized by §551.071 (Consultation with Attorney).
- 13.** Discuss personnel matters as authorized by §551.074 (Personnel Matters).

After completing the executive session, the Board reconvened in open meeting at 11:14 a.m.

Regular Items

14. Adjourn Meeting.

After confirming that no member of the public wished to address the Board, Chairman Jenkins declared the meeting adjourned at 11:17 a.m.



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #3

Prohibit the operation of certain vehicles on Mobility Authority toll facilities pursuant to the Habitual Violator Program

Strategic Plan Relevance:	Regional Mobility
Department:	Operations
Contact:	Tracie Brown, Director of Operations
Associated Costs:	N/A
Funding Source:	N/A
Action Requested:	Consider and act on draft resolution

Project Description/Background: The Mobility Authority's habitual violator process prescribes two notices before habitual violator remedies go into effect. A pre-determination letter is sent 60 days before any remedies are enforced advising the customer again of their outstanding balance and providing an opportunity for resolution. Assuming no resolution, a *Notice of Determination* is mailed notifying the customer they've been determined to be a habitual violator and advising of the consequences. The customer is also informed of their right to appeal the decision and the process by which to do so.

If the customer does not contact the Authority to appeal the habitual violator determination or resolve their outstanding balance, a block is placed on the related vehicle's registration preventing renewal. The block remains in effect until all tolls and fees have been paid, a payment plan has been arranged with the Mobility Authority or the customer is determined to no longer be a habitual violator.

Previous Actions & Brief History of the Program/Project: State law provides that persons deemed to be habitual violators may also be prohibited from use of the Mobility Authority's toll facilities by order of the Board of Directors. Habitual violator customers operating a vehicle in violation of a ban are subject to a Class C misdemeanor with a fine up to \$500. A second or subsequent occurrence may result in impoundment of the vehicle. Similar to registration blocks, vehicle bans remain in effect until all

outstanding amounts owed to the Authority have been resolved or the customer is no longer deemed a habitual violator.

Financing: Not applicable.

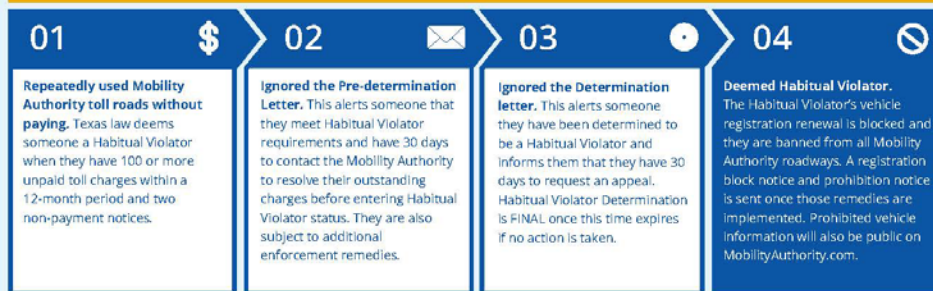
Action requested/Staff Recommendation: Staff affirms that all required steps have been followed and proper notice previously provided to customers determined to be habitual violators. To date, these customers have not appealed this determination or resolved their outstanding balances.

Therefore, staff recommends that the Board of Directors approve the order prohibiting certain vehicles from use of the Authority's toll facilities. Following the Board's approval of this order, a Notice of Prohibition will be mailed by first class mail advising of the ban, consequences if the ban is violated and how the customer may resolve their outstanding balance.

Backup provided: Habitual Violator Vehicle Ban FAQs
Draft Resolution



Habitual Violator Process



Who is a Habitual Violator?

A Habitual Violator is defined in Section 372.106(a) of the Texas Transportation Code as (A) one who was issued at least two written notices of nonpayment that contained in aggregate 100 or more events of nonpayment within a period of one year and, (B) was issued a warning that failure to pay the amounts specified in the notices may result in the toll project entity's exercise of Habitual Violator remedies.

What enforcement remedies is the Mobility Authority implementing for Habitual Violators?

To encourage equitable payment by all customers, legislation allows for enforcement remedies up to and including vehicle registration renewal blocks, prohibiting Habitual Violator's vehicles on Mobility Authority roadways, on-road enforcement of the vehicle ban, as well as posting names to the agency website of those Habitual Violators with banned vehicles. The Mobility Authority will be implementing these remedies beginning November 2019.

How will I know I'm a Habitual Violator subject to enforcement remedies?

Habitual Violators are provided due process protections prior to any enforcement action.

- A registered vehicle owner who the Mobility Authority determines meets the Habitual Violator status is sent a letter advising them that Habitual Violator remedies may be implemented if the customer's outstanding balance is not resolved. This letter is not required by law but is sent as a courtesy to reflect the Mobility Authority's commitment to the customer.
- A registered vehicle owner who the Mobility Authority determines to be a Habitual Violator receives written notice of that determination and an opportunity for a justice of the peace hearing to challenge their Habitual Violator status.
- Habitual Violator Determination is FINAL if no action is taken, prompt in the Mobility Authority to send a Vehicle Registration Block Notice and/or a Vehicle Ban Notice. These notices urge the Habitual Violator yet again to resolve their toll debt with the Mobility Authority.
- Sufficient time is provided to respond to all notifications.

Learn more about the Habitual Violator Enforcement Program at MobilityAuthority.com



How can I resolve my Habitual Violator status and settle my toll bill balance?

You can pay outstanding tolls and administrative fees with cash, money order or credit card (a payment plan may be available) by: calling the Mobility Authority Customer Service Center at 512-410-0562, online at www.paymobilitybill.com, or in person at our walk-up center.

Why is the Mobility Authority pursuing enforcement remedies?

The vehicle registration block and other toll enforcement actions are intended to encourage tollway drivers to pay for services rendered to ensure fairness to the overwhelming majority of drivers who pay for the service, maintenance and safety of the toll roads.

How will a person be notified that he or she is subject to enforcement remedies?

A notification letter announcing that a person has met the criteria of Habitual Violator is sent to the address in the Texas Department of Motor Vehicles (TTC 372.106) database, allowing 30 days to contact to dispute their determination as a Habitual Violator or address the account balance before remedies are applied. If the Habitual Violator does not make arrangements with the Mobility Authority during this period, they will be subject to all enforcement remedies. Additionally, notification of a registration renewal block is mailed.

Can someone dispute a toll bill?

Yes. You may contact the Mobility Authority to review all outstanding tolls and fees, correct any errors and arrange for payment to clear your status as a Habitual Violator and the block on your registration. Habitual Violators are also given an opportunity to request an administrative hearing with a justice of the peace.

How will I know or be notified that I am subject to a vehicle ban?

Habitual violators subject to vehicle ban will receive notification that they have been banned, including when the ban will take effect and instructions for how to remove their status as a Habitual Violator.

Can I dispute my toll bill that subjects me to the vehicle ban?

Yes. You may contact the Mobility Authority to review all outstanding tolls and administrative fees, correct any errors and arrange for payment to clear your status as a Habitual Violator and remove the vehicle ban.

What happens if I am banned, but get caught driving on a Mobility Authority toll road?

A person commits an offense when operating a vehicle in violation of the ban and is subject to a Class C misdemeanor with a fine up to \$500. A second or subsequent occurrence of driving on the tollway in violation of a ban may result in impoundment of the vehicle.

How will the Mobility Authority know if I'm still driving (after being banned)?

Mobility Authority roads are equipped with technology that recognizes vehicle and license plates on our prohibited list. Individuals operating a prohibited vehicle on Mobility Authority roads will be reported to nearby law enforcement patrolling Mobility Authority roads.

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

RESOLUTION NO. 22-0XX

**PROHIBITING THE OPERATION OF CERTAIN MOTOR VEHICLES
ON MOBILITY AUTHORITY TOLL FACILITIES PURSUANT TO
THE HABITUAL VIOLATOR PROGRAM**

WHEREAS, Transportation Code, Chapter 372, Subchapter C, authorizes toll project entities, including the Central Texas Regional Mobility Authority (Mobility Authority), to exercise various remedies against certain motorists with unpaid toll violations; and

WHEREAS, Transportation Code §372.106 provides that a “habitual violator” is a registered owner of a vehicle who a toll project entity determines:

(1) was issued at least two written notices of nonpayment that contained:

(A) in the aggregate, 100 or more events of nonpayment within a period of one year, not including events of nonpayment for which: (i) the registered owner has provided to the toll project entity information establishing that the vehicle was subject to a lease at the time of nonpayment, as provided by applicable toll project entity law; or (ii) a defense of theft at the time of the nonpayment has been established as provided by applicable toll project entity law; and

(B) a warning that the failure to pay the amounts specified in the notices may result in the toll project entity’s exercise of habitual violator remedies; and

(2) has not paid in full the total amount due for tolls and administrative fees under those notices; and

WHEREAS, the Central Texas Regional Mobility Authority (Mobility Authority) previously determined that the individuals listed in Exhibit A are habitual violators, and these determinations are now considered final in accordance with Transportation Code, Chapter 372, Subchapter C; and

WHEREAS, Transportation Code §372.109 provides that a final determination that a person is a habitual violator remains in effect until (1) the total amount due for the person’s tolls and administrative fees is paid; or (2) the toll project entity, in its sole discretion, determines that the amount has been otherwise addressed; and

WHEREAS, Transportation Code §372.110 provides that a toll project entity, by order of its governing body, may prohibit the operation of a motor vehicle on a toll project of the entity if:

(1) the registered owner of the vehicle has been finally determined to be a habitual violator; and

(2) the toll project entity has provided notice of the prohibition order to the registered owner; and

WHEREAS, the Executive Director recommends that the Board prohibit the operation of the motor vehicles listed in Exhibit A on the Mobility Authority's toll roads, including (1) 183A Toll; (2) 290 Toll; (3) 71 Toll; (4) MoPac Express Lanes; (5) 45SW Toll; and (6) 183 Toll.

NOW THEREFORE, BE IT RESOLVED that the motor vehicles listed in Exhibit A are prohibited from operation on the Mobility Authority's toll roads, effective July 27, 2022; and

BE IT FURTHER RESOLVED that the Mobility Authority shall provide notice of this resolution to the individuals listed in Exhibit A, as required by Transportation Code §372.110; and

BE IT IS FURTHER RESOLVED that the prohibition shall remain in effect for the motor vehicles listed in Exhibit A until the respective habitual violator determinations are terminated, as provided by Transportation Code §372.110.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of July 2022.

Submitted and reviewed by:

Approved:

James M. Bass
Executive Director

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

Exhibit A

LIST OF PROHIBITED VEHICLES

(To be provided at the Board Meeting)



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #4

Discuss and consider approving Supplement No. 7 to Work Authorization No. 2 with Atkins North America, Inc. for general engineering services for the 183 South Project

Strategic Plan Relevance:	Regional Mobility
Department:	Engineering
Contact:	Mike Sexton, P.E., Acting Director of Engineering
Associated Costs:	\$1,100,000
Funding Source:	Project Funds
Action Requested:	Consider and act on draft resolution

Project Description/Background: Atkins has served as the Mobility Authority's General Engineering Consultant providing construction project oversight on the 183 South Project since 2015. Those oversight services include project management, project administration, project coordination, design oversight, construction oversight, environmental oversight, change order management and processing, dispute/claims support, trust indenture obligations, public involvement, right of way services and document control. The currently approved amount for those services is \$52,661,92. This supplement is to add the GEC services required related to the Zen property acquisition.

Previous Actions & Brief History of the Program/Project: The Mobility Authority executed Supplemental Work Authorization No. 6 to Work Authorization No. 2 in August 2021 for the project oversight services for the 183 South Project. The proposed Supplemental Work Authorization No. 2.7 in the amount of \$1,100,000 is required to provide funding for the GEC services related to the Zen property acquisition.

Financing: Project Funds

Action requested/Staff Recommendation: Staff recommends approval of this item, proposed Supplemental Work Authorization No. 7 to Work Authorization No. 2, which

will provide an additional fee of \$1,100,000 to provide funding for the GEC services related to the Zen property acquisition.

Backup provided:

Draft Resolution

Supplemental Work Authorization 2.7

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

RESOLUTION NO. 22-0XX

**APPROVING SUPPLEMENT NO. 7 TO WORK AUTHORIZATION NO. 2
WITH ATKINS NORTH AMERICA, INC. FOR GENERAL ENGINEERING SERVICES
FOR THE 183 SOUTH (BERGSTROM EXPRESSWAY) PROJECT**

WHEREAS, by Resolution No. 09-88, dated December 17, 2009, the Central Texas Regional Mobility Authority's (Mobility Authority) Board of Directors (Board) approved Work Authorization No. 2 for general engineering services for the 183 South (Bergstrom Expressway) Project (Project) in an amount not to exceed \$162,881; and

WHEREAS, the Board subsequently approved Supplement Nos. 1, 2, 3, 4, 5 and 6 to Work Authorization No. 2, raising the value of Work Authorization No. 2 to a total amount not to exceed \$52,661,992 to provide general engineering services through the construction phase of the Project; and

WHEREAS, the Executive Director and Atkins North America, Inc. have now negotiated Supplement No. 7 to Work Authorization No. 2 in the amount of \$1,100,000 which increases the value of Work Authorization No. 2 to a total amount not to exceed \$53,761,992 for general engineering services through the completion of the Project; and

WHEREAS, the Executive Director recommends approving Supplement No. 7 to Work Authorization No. 2 in the form or substantially the same form attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED that the Board approves Supplement No. 7 to Work Authorization No. 2 in the amount of \$1,100,000 for additional construction-phase general engineering services for the 183 South (Bergstrom Expressway) Project and hereby authorizes the Executive Director to finalize and execute Supplement No. 7 on behalf of the Mobility Authority in the form or substantially the same form attached hereto as Exhibit A.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of July 2022.

Submitted and reviewed by:

Approved:

James M. Bass
Executive Director

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

Exhibit A

EXHIBIT A
WORK AUTHORIZATION

Supplement No. 7 to Work Authorization No.2

This Work Authorization is made as of this 27th day of July 2021, under the terms and conditions established in the AGREEMENT FOR GENERAL CONSULTING ENGINEERING SERVICES, dated as of December 19th, 2017 (the Agreement), between the **Central Texas Regional Mobility Authority** (Authority) and **Atkins North America, Inc.** (GEC). This Work Authorization is made for the following purpose, consistent with the services defined in the Agreement:

*Bergstrom Expressway
Oversight Services*

Section A. - Scope of Services

A.1. GEC shall perform the following Services:

Please reference Attachment A – Services to be Provided by the GEC

A.2. The following Services are not included in this Work Authorization, but shall be provided as Additional Services if authorized or confirmed in writing by the Authority.

Not applicable.

A.3. In conjunction with the performance of the foregoing Services, GEC shall provide the following submittals/deliverables (Documents) to the Authority:

Please reference Attachment A – Services to be Provided by the GEC

Section B. - Schedule

GEC shall perform the Services and deliver the related Documents (if any) according to the following schedule:

Services defined herein are expected to be substantially complete within twelve (12) months from the date this Supplement becomes effective. This Supplement will not expire until all tasks associated with the Scope of Services are complete.

Section C. - Compensation

C.1. In return for the performance of the foregoing obligations, the Authority shall pay to the GEC the amount not to exceed \$1,100,000. This will increase the not to exceed amount for Work Authorization No. 2 from \$52,661,922 to 53,761,922. There will be no additional Compensation for Direct Expenses under this Supplement. Profit will be 10% for all services. Compensation shall be in accordance with the Agreement.

C.2. Compensation for Additional Services (if any) shall be paid by the Authority to the GEC according to the terms of a future Work Authorization.

Section D. - Authority’s Responsibilities

The Authority shall perform and/or provide the following in a timely manner so as not to delay the Services of the GEC. Unless otherwise provided in this Work Authorization, the Authority shall bear all costs incident to compliance with the following:

Not applicable.

Section E. - Other Provisions

The parties agree to the following provisions with respect to this specific Work Authorization:

Not applicable.

Except to the extent expressly modified herein, all terms and conditions of the Agreement shall continue in full force and effect.

Authority: Central Texas Regional Mobility
Authority

GEC: Atkins North America, Inc.

By: James Bass

By: _____

Signature: _____

Signature: _____

Title: Executive Director

Title: _____

Date: _____

Date: _____

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
SUPPLEMENTAL WORK AUTHORIZATION NO. 7 TO
WORK AUTHORIZATION NO. 2
Atkins

ATTACHMENT A
SERVICES TO BE PROVIDED BY GEC

GENERAL

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 Bergstrom Expressway (183 South) Project through the use of a Design/Build Contract (hereinafter referred to as the D/B Contract). This will entail those professional services and associated deliverables required to complete the oversight activities associated with the management of the Design/Build Contractor (hereinafter referred to as the D/B Contractor).

The Mobility Authority intends to procure Public Involvement, Construction Inspection, Materials Testing, and Survey contracts to support the project oversight team. The GEC will provide support to assist with administering these oversight team service provider contracts.

The GEC will be the single point of contact between the Mobility Authority and D/B Contractor, acting as an extension of the Mobility Authority's 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 D/B Contract. Oversight reviews by the GEC will not relieve the D/B Contractor 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 D/B Contract. With comments and recommendations provided by the GEC, Final Acceptance decisions for design and construction shall be made by the Mobility Authority staff and coordinated with TxDOT as applicable.

The GEC will maintain core D/B Oversight staff at the D/B Contractor-provided Project/field office(s) to manage and administer the planning, execution and construction; including invoicing and administrative support, for activities required to complete the overall oversight efforts. This staff will represent the Mobility Authority's interests on the Bergstrom Expressway Project.

TASK 1 PROJECT MANAGEMENT (CODE 13730)

The GEC will provide staff to administer, manage, review and coordinate development of the Project. The GEC will develop and maintain a staffing plan for consistency and appropriate levels of Project staffing. Activities included in this task:

A. CDA Contracting Support

Complete various Contracting phase efforts associated with the CDA procurement, including:

- Assist Mobility Authority in identifying Proposer commitments and negotiating the final agreement language.
- Assist Mobility Authority in reviewing insurance and bond documents for inclusion in the conformed CDA.
- Assist Mobility Authority in preparing the final conformed CDA document for execution.
- Conduct debriefings on behalf of the Mobility Authority for proposers to the RFDP that were not selected to enter CDA with the Mobility Authority.
- Final filing and documentation.

B. Bond Sale/Finance Support

- Develop detailed capital cost estimates defining all elements necessary for project implementation as part of the System.
- Develop detailed annualized cost estimate for funding of necessary operations, maintenance, and renewal & replacement elements for the duration of the bonds.
- Develop comprehensive schedules defining all elements of the project, including the critical path tasks that directly affect the opening of the project.
- Prepare the Consulting Engineer's Report necessary for the bond sale with a detailed description and history of the bonded project, comprehensive schedules, detailed capital cost estimates, and annualized operations, maintenance, and renewal & replacement cost estimates.
- Support the Mobility Authority in development of the Preliminary Official Statement and the Final Official Statement.
- Coordinate as necessary with the Authority, Bond Counsels, Financial Advisors, and Underwriters on the bond finance team.
- Issue such certificates as are required to be delivered by the GEC regarding specific scope of the project; estimated capital costs; estimated operations, maintenance, and renewal & replacement costs; implementation/open to traffic schedule; and necessity to acquire certain real property for the project.
- Present the accuracy and reliability of project costs and schedules to the bond rating agencies and insurers during bond sales.
- Support the Mobility Authority with the preparation of a TIFIA application and supporting documentation.
- Provide support as needed for the development of a Financial Assistance Agreement with TxDOT.
- Prepare an Initial Finance Plan (IFP) as well as Annual Updates to the finance plan, as required by FHWA on major projects.

C. Project Management Plan (PMP)

This will include an update to the Project Management Plan to include the selected D/B Contractor and oversight team service providers' information. The component parts of the Project Management Plan (PMP) include:

- Project Administration
- Design quality management plan (as prepared by the D/B Contractor)
- Construction quality management plan (as prepared by the D/B Contractor)
- Comprehensive Environmental Protection Program (as prepared by the D/B Contractor)
- Public information and communications
- Safety (as prepared by the D/B Contractor)
- Communications management
- Right of Way Acquisition management
- Cost management
- Schedule Management

D. Project Administration

- Review and report on the D/B Contractor's submittals of records and reports including:
 - weekly payroll
 - statement of wage compliance
 - requests for payment of materials on hand

- DBE compliance and/or other reports and records as required for the Project by TxDOT and/or FHWA
- Report Project progress and issues in a timely manner
- Review, monitor, and report on D/B Contractor's Project schedule
- Review and submit a report on the D/B Contractor's as-built plans
- Maintain accurate records of the costs involved in potential change order work. These records will include labor and equipment times and materials installed (temporary or permanent) in the portion of the work in dispute.
- Assist in the surveillance of the D/B Contractor's compliance with contract requirements. The GEC is responsible for reviewing, monitoring, evaluating, and acting upon documentation required for D/B Contract compliance and maintaining the appropriate files thereof. Typical areas of compliance responsibility include EEO Affirmative Action, DBE, OJT positions and number of hours, and payroll and subcontracts.
- Provide management and administrative support for Mobility Authority oversight team service providers that will perform public involvement, construction inspection, materials testing, and survey services as part of the oversight team.
- Provide compliance oversight of third party agreements and development permits that are to be completed and executed by the D/B Contractor including:
 - Dewatering permits
 - NPDES permits
 - Demolition permits
 - Noise permits
 - Corps of Engineer permits
 - Utility Permits
 - Capital Metro agreements

E. Project Coordination

- Work with the Mobility Authority, TxDOT, D/B Contractor, third party consultants, utility companies, public agencies, contractors and the general public to coordinate Project development and implementation.
- Coordinate the details of and participate in Project's partnering meeting to be held shortly after notice to proceed has been given to the D/B Contractor.

F. Sub-Consultants

- Coordinate, contract, and provide oversight for all sub-consultants to the GEC.

G. Program Reporting

- Prepare and issue monthly reports on the Project's status which will document any issues, delays encountered, and corrective actions as necessary.
- Provide a monthly update to the Mobility Authority on key milestones accomplished during the preceding month, meetings and key activities for the upcoming month, and identify outstanding issues requiring resolution.
- Track, monitor, and report on contracts and budgets for the GEC, third party consultants and the D/B Contractor.
- Track, monitor, and prepare reports on DBE/HUB utilization for D/B Contractor's DBE/HUB program, third party consultants, and GEC Team.

H. Project Schedule

The GEC will provide staff to coordinate the Project scheduling efforts. Specific activities include:

- Evaluate, monitor and verify according to contractual requirements, the D/B Contractor's Project schedule (baseline and updates) and Recovery Schedule.
- Report and verify the D/B Contractor's progress and upcoming milestones on a monthly basis to the Mobility Authority.
- Identify, catalog, and archive Baseline Schedule, schedule revisions, updates and Recovery Schedules. Evaluate time impacts and report recommendations to the Mobility Authority.
- Develop and maintain a detailed owner project schedule that will be used to independently assess the status and health of the project.

I. Change Order Processing & Management

- Provide review of potential change orders on the Project and process in accordance with the D/B Contract and coordinate with external agencies as required.
- Review change order cost estimates prepared by the D/B Contractor, evaluate D/B Contractor claims for extension of time, and provide comments and recommendations to the Mobility Authority.
- Maintain log and retain all documents associated with potential change orders.
- Provide constructability reviews of Work Sequence Plans submitted by the D/B Contractor. The D/B Contractor will be responsible for final approval.
- Assist in review of D/B Contractor initiated alternative design or substitution proposals. The Engineer(s) of Record will be responsible for the design and approval of any design alternative, alteration or revision.
- Prepare status reports and presentation for the Dispute Resolution Board.

J. Dispute/Claims Support

The GEC will provide consultation and assistance to the Mobility Authority and their General Council related to aspects of the design, construction, duties and services required during the development and implementation of the Project:

- Assemble supporting documentation, review, analyze and provide recommendations to the Mobility Authority on the D/B Contractor's submittal of a dispute
- Review, analyze and make recommendations to the Mobility Authority on the D/B Contractor's claim package submittal.
- Participate as needed in preparation and presentation to Dispute Resolution Board.
- Prepare progress updates to keep the DRB informed of project status and potential issues.

K. Project Meetings & Documentation

The GEC will facilitate the following Project meetings to assess progress, schedule, and quality of services being provided as well as identify issues:

- Internal Team Meetings (Weekly)
- Internal Project Review Meetings (Monthly)
- Issue Resolution Meetings (As Needed)
- Mobility Authority Construction Status Update Meetings (Monthly)
- Mobility Authority Board Meetings (Quarterly)

The GEC will prepare agendas, meeting minutes, action plans and follow-up action item status for each of the GEC Project meetings and distribute to attendees and appropriate personnel.

In addition, the GEC will participate in D/B Contractor's meetings:

Partnering

- One-day facilitated Management Partnering Workshop (after award)
- One-day Full Team Partnering Workshop
- Monthly Strategy Meetings
- Quarterly Partnering Workshops

Design Phase

- Roadway, Drainage, Utilities, Environmental Compliance(Weekly)
- Structures, Signals, ITS, Illumination, Geotechnical(Bi-weekly)
- Maintenance of Traffic(Weekly)
- Toll System Integrator Coordination(Monthly)
- Design Leads(Weekly)
- Quality Assurance(Monthly)
- Design Submittal Review Meetings(Prior to submittals)
- Comment Resolution Meetings

Construction Phase

- Utilities(Weekly)
- Quality Assurance(Bi-weekly)
- Maintenance of Traffic(Weekly)
- Public Information(Weekly)
- Environmental Compliance(Weekly)

Oversight, Scheduling, and Coordination

- 4-Week Rolling Schedule Review(Weekly)
- Comprehensive Schedule (Monthly)
- Staffing Meeting(Monthly)
- Steering Committee(Bi-Weekly)
- Executive Management(Quarterly)

L. Documentation

The GEC will review for completeness and accuracy the agendas, meeting minutes, action items and follow-up action item status prepared by the D/B Contractor for each of the D/B Contractor meetings.

M. Document Controls

- Develop and implement a document control plan; including training of Project personnel in the use of document management system application and protocol.
- Maintain Project files for the duration of the Project.
- Transfer program files to the Mobility Authority upon completion of the work or as directed by the Mobility Authority.

- Import documents into the Mobility Authority Electronic Document Management System (EDMS) as necessary.
- Provide security monitoring of network access.
- Provide maintenance of GEC servers, workstations and network equipment as required.

N. Tracking Database

- Maintain the tracking database for correspondence, transmittals, requests for information, meeting minutes, action items, submittals, Inspector daily reports, Project diary, Project schedule, change orders, pay estimates, lien waivers, shop drawings, working drawings, erection drawings, catalog cut sheets, mix designs, non-conformance reports, payment certifications, Insurance and Bonds, issues, material test data, schedules, audits, related technical data, and issues associated with the Project.

O. Document Distribution

- Assign identification coding to incoming and outgoing Project related documentation and perform entry into the EDMS
- Prepare, manage, record, distribute and archive documentation of Project activities, progress, and related communications
- Log and track submittals and deliverables

P. Trust Indenture Obligations

- Prepare a Quarterly Report with an Executive Summary that provides a comprehensive summary of the monthly reports and the overall Project progress

Q. Response to Open Records Requests

- Perform retrieval of documents as a result of open records requests.

R. Mail Services

- Provide mail services for the Project (US, Priority, Courier, Internal and External).

TASK 2 – DESIGN OVERSIGHT (CODE 13730)

The GEC will provide professional services associated with design oversight that are required to oversee compliance of the design in accordance with the Project Development Agreement (PDA), the D/B Contract and the System Integrator (SI) Contract. The GEC will provide qualified technical and professional personnel to perform this task. In performance of the task, the GEC shall not direct, manage or control the D/B Contractor or SI's design work activities. Design oversight by the GEC will not relieve the D/B Contractor and SI of sole responsibility for design related services. Design oversight efforts will focus on coordination with the D/B Contractor's and SI's design process to provide monitoring and oversight of reasonable compliance with D/B Contract obligations, D/B contractor's Design Quality Management Plan (DQMP), SI Contractor obligations and sound engineering practices. The following activities are included:

A. Design criteria

The GEC will provide clarifications on the design criteria, as necessary.

B. Schematic development

The GEC will oversee that the schematic plan development proceeds in accordance with the basic configuration provided in the D/B Contract as a part of the 30% plan review. Variances from the basic configuration will be tracked and resolved through the partnering process. The GEC may identify opportunities for changes to the schematic to accommodate Project goals. These opportunities will be coordinated with the D/B Contractor, the Mobility Authority, TxDOT, and FHWA.

C. Toll Collection System Development

The GEC will oversee the SI's development of the toll collection system layout, including the location of the toll collection gantries, toll collection system design and toll collection system infrastructure requirements and the integration with the D/B Contractor's schematic plan development. The GEC will monitor adherence to the Toll System Collection Responsibility Matrix by both the D/B Contractor and SI.

D. Production schedule

The GEC will coordinate with the D/B Contractor to provide GEC staffing levels accommodate the D/B Contractor's proposed design production schedule. The D/B Contractor's production schedule will be coordinated with the Mobility Authority, TxDOT, and FHWA to keep Project stakeholders informed of key milestone dates and design reviews schedules.

E. Work group meetings

This task includes the attendance of the D/B Contractor's design work group meetings. In these meetings, the GEC will stay informed of design development issues and provide guidance to the D/B Contractor when required.

F. Design reviews

After a design submittal has been through the Design Quality Control and the Design Quality Assurance reviews, the GEC will perform a Design Quality Oversight review. This review will:

- Audit records to verify compliance with the approved DQMP
- Check and review compliance with the D/B Contract.
- Audit design to confirm all previous review comments have been incorporated

The mandatory design reviews include:

- 30% plans
- 65% plans
- 100% plans

Other design reviews may include:

- Early release construction plans
- Over the shoulder reviews
- Request for information (RFI) submittals
- Shop and working drawing reviews

The GEC will coordinate with TxDOT and others as required to conduct Design Reviews. The GEC will consolidate review comments from the various entities and submit one set of review comments to the D/B Contractor. In the event design exceptions are agreed to between the

Mobility Authority and the D/B Contractor, the GEC will coordinate with TxDOT and prepare documentation in support of the design exception.

G. Design Acceptance

Once the D/B Contractor has incorporated all comments from the Final (100%) Design Submittal and resolved all concerns and comments, the D/B Contractor will submit the Final Design Package for acceptance. The GEC will review the acceptance package for the following components and make recommendations to the Mobility Authority regarding approval:

- Design plans
- Design calculations
- Design reports
- Construction Specifications
- Electronic files
- Government and utility owner approvals
- Design quality assurance firm certification of compliance with the DQMP and the D/B Contract

TASK 3 – CONSTRUCTION OVERSIGHT (CODE 13730)

The GEC will provide professional services associated with construction oversight including the construction engineering in accordance with the PDA, D/B Contract and SI Contract. The GEC will provide qualified technical and professional personnel to perform this task. In performance of this task, the GEC shall not direct, manage or control the D/B Contractor's or SI's construction work activities. Construction Oversight by the GEC will not relieve the D/B Contractor or SI of sole responsibility for the means and methods of the construction, or for health or safety precautions in connection with this work. The Engineer(s) of Record will remain responsible for design related services.

The GEC will establish and maintain the Project Field Office operation within the D/B Contractor-provided facility; including the purchase/lease, installation and maintenance of IT equipment; leasing and maintenance of project vehicles; and any additional expenses required by the Project and not provided by the D/B Contractor.

Construction oversight efforts will focus on coordination with the D/B Contractor's and SI's construction processes to provide monitoring and oversight of reasonable compliance obligations, sound engineering practices and regulatory requirements. The GEC will develop the construction Quality Assurance Plan (QAP) which will be incorporated by reference into the D/B Contractor's Construction Quality Management Plan (CQMP). The following activities are included:

A. General Technical Support

The GEC will provide technical support and management assistance as required by the Mobility Authority toward the successful completion of the Project; including:

- Advise the Mobility Authority on matters of engineering related to interpretation of design details, construction techniques and procedures, specifications, standard construction details, and construction plans prepared by the Design Engineer(s)
- Seek clarifications from the Design Engineer(s) when necessary on the intent reflected in the design plans and specifications. The Engineer of Record will remain responsible for design related services

- Review, monitor and recommend modification to the D/B Contractor's maintenance of traffic/traffic control operations according to applicable specifications and standards.
- Document and issue deficiency reports to the D/B Contractor on any non-compliance of traffic control devices or layouts.
- Coordinate with the D/B Contractor, affected third parties, interested agencies, emergency responders and the Mobility Authority for major traffic disruptions.
- Attend meetings pertaining to the traffic control and maintenance of traffic that are held by the D/B Contractor, designers or interested parties.
- Track lane/should/ramp/cross-street rental and/or Liquidated Damages fees.
- Review ITS elements including CCTV, Microwave vehicle detection, fiber installation, DMS install, and ATM.

B. Requests for Information (RFI) and Non-Conformance Report Processing and Management

- Review and comment on Project RFIs
- Prepare and manage Non-Compliance Reports (NCRs) for non compliant work
- Maintain, log and retain all documents associated with RFIs and NCRs

C. Shop Drawing / Submittals Processing and Management

- Review shop drawings, erection drawings, working drawings, samples, material and product certifications, and catalog cuts and brochure submittals for general conformance with the design plans and specifications submitted by the D/B Contractor. Check that the Engineer of Record has provided required approvals. The Engineer of Record will be responsible for final approval.
- Maintain, log and retain all documents associated with shop drawings
- Coordinate with the D/B Contractor on processing, submittal documentation, follow-up activities, and clarifications.

D. D/B Contractor Draw Requests

- Review completeness of D/B Contractor's submittal in accordance with the requirements of the D/B Contract, including:
 - Cover sheet
 - Monthly progress report
 - Certification by design quality assurance manager and construction quality control manager
 - Report of personnel hours
 - Progressed schedule of values
 - DBE utilization report
 - Cash flow and payment curves
 - Updated Project schedule
 - Waiver of liens from previous draw requests
 - Material on hand invoices
 - Lane rental fee report
- Evaluate that the request accurately reflects monies due for acceptable work completed
- Review and provide required certifications to the Mobility Authority for processing of the D/B Contractor's partial and final pay requests.
- Track Project contingency funds. Maintain, log and retain all documents associated with expenditure of Project contingency.

E. Right-of-Way/Utility Oversight

The GEC will provide oversight, coordination, and assistance for right-of-way and utility related activities. Specific activities include:

- Provide information to the D/B Contractor concerning previous land acquisition negotiations with certain property owners along the Project corridor
- As requested, coordinate the preparation of Eminent Domain packages to be submitted by the D/B Contractor in relation to land acquisition
- Review utility plans for compliance with the TxDOT Utility Accommodation Policy, compatibility with the Project features, betterment inclusion and constructability
- Provide oversight review of location, materials, and backfilling of trenches associated with utility adjustments; not responsible for actual location of utilities
- Participate in meetings as necessary to effectively manage the utility coordination process
- If necessary, provide support to D/B Contractor in scheduling periodic meetings with utility and rail owner’s representatives for coordination purposes
- Meet with the D/B Contractor as necessary to resolve matters relating to schedules, utility identification, design changes, conflict resolution, and negotiation with utility owners
- Support D/B Contractor with negotiating the details of utility agreements with the utility companies, as requested. Details will include any necessary betterment percentages, indirect costs, plans, estimates and schedules for the utility companies’ activities
- Review of utility adjustment agreements including plans, estimates, and property interest
- Review of claims of unidentified utilities submitted by the D/B Contractor
- Monitoring payments from D/B Contractor to utility owners for utility adjustments
- Provide utility construction monitoring and verification
- Monitor and report utility adjustment status

F. Mobility Authority Construction Coordination Support

The GEC will support the Mobility Authority in coordination and any interlocal agency agreements including exhibit preparation and supporting document preparation and assembly with the following agencies:

- Texas Department of Transportation (TxDOT)
- Federal Highway Administration (FHWA)
- Capitol Area Metropolitan Planning Organization (CAMPO)
- City of Austin
- Capitol Metropolitan Transportation Authority (CapMetro)
- Travis County
- Local Municipalities and Municipal Utility Districts
- Other Agencies as identified and as directed by the Mobility Authority

G. Final Punch List/Final Inspection/Notice of completion

The GEC will:

- Coordinate with the D/B Contractor and TxDOT in the generation of a final punch list.
- Monitor the resolution of outstanding construction items.
- Inspection of punch list completion.
- Verify there are no outstanding claims related to the D/B Contractor’s work.
- Provide a Notification of Completion to the Mobility Authority.
- Review/Confirm accuracy of As-Built record drawings.

TASK 4 – ENVIRONMENTAL COMPLIANCE (CODE 13730)

The GEC will provide staff to review and report on the D/B Contractor's environmental compliance efforts. Specific activities include:

- Oversight review and audits of the D/B Contractor's Comprehensive Environmental Protection Program (CEPP)
- Review of environmental site assessments (ESAs) submitted by the D/B Contractor for right of way (ROW) parcels for the Project, as required
- Review of Phase II ESA proposed scopes of work and Investigative Work Plans for ROW parcels with potential Recognized Environmental Conditions discovered during the ESA process, as required
- Review and approve D/B Contractor's HAZMAT Plan
- Monitor and quantify HAZMAT excavation materials
- Review letters to Affected Property Owners and meet with concerned citizens to discuss environmental issues, as required
- Review Archeological and Historic Property Phase I and II survey reports, Test /Data Recovery Plans and reports, and SHPO-FRHP nomination packages, as required
- Review design plans and design changes for conformance with environmental commitments
- Develop and maintain database to track and verify environmental commitments documented in the Environmental Documents and for permit compliance
- Monitor the D/B Contractor's activities to determine if environmental encounters are being promptly reported and managed in accordance with the CEPP, and applicable laws and regulations
- Perform re-evaluations as requested for owner director changes

TASK 5 – RIGHT OF WAY ACQUISITIONS (CODE 13410)

A. Appraisals

- Review completed right-of way maps and documents to ensure all necessary information is provided prior to initiating acquisition efforts.
- Obtain title reports for parcels to be acquired; the title reports will be preliminarily reviewed for accuracy, ownership verification, to determine if there are any existing liens or encumbrances which may prohibit the owner from conveying clear title.
- Conduct appraisals to determine the fair market value of the property to be acquired; appraisals will contain sufficient documentation, including valuation data and the appraiser's analysis of that data, to support his or her opinion of value.
- Conduct review appraisals to confirm that the appraisal has been completed in accordance with defined specifications/procedures and follows accepted appraisal principles/techniques; contains information and consideration of all compensable items, damages and benefits; and includes written approval of the fair market value contained in the appraisal.

- Conduct environmental site assessments, prior to acquisition of real property, on certain parcels to determine the potential of, and extent of liability for hazardous substances or other environmental remediation or injury. This includes a determination of the absence or presence of hazardous substances, as well as conditions that indicate an existing or past release.
- Provide exhibits for illustration of comparable properties for disputing appraisal differences.

B. Negotiations/Voluntary Settlement

- Provide written notification, consistent with Federal regulations, to effected property owners stating the Mobility Authority's intent to acquire right-of-way; this correspondence will also inform the affected property owners of the basic protection to them by law.
- Develop offer letter and participate in a meeting with the affected property owner to present the offer.
- Participate in negotiations with the affected property owner; documentation of ALL negotiations will be maintained in writing in a negotiators log.
- In the event that negotiations result in a voluntary settlement acceptable to both parties, assemble a closing package containing all documents necessary to timely process the acquisition and relocation checks necessary for closing.
- Provide support for ROW Subcommittee Meetings.
- Provide support for the Mobility Authority Board Meetings.

C. Relocation Assistance Services

- Conduct determination of relocation benefits, consistent with the Uniform Relocation Act, for both residential and business relocations.

D. Right of Way Tracking

- Tract status of Appraisals, Offers, Counter Offers, Condemnation, property management services and relocation assistance in both dollars and schedule.

TASK 6 - PUBLIC INVOLVEMENT (CODE 13750)

The GEC will provide staff as needed to support the Mobility Authority with the administration, management, coordination, and implementation of the public involvement oversight efforts. Activities included in this task:

A. Support for Director of Community Relations

Provide assistance as requested from the Director of Community Relations for the day to day construction communications throughout the life of the contract, including:

- Acting as the secondary point of contact for the project
- Attending internal meetings
- Responding to public inquiries regarding the project
- Assisting with community outreach strategy
- Providing assistance with the development of and implementation of the Public Information Plan (PIP) and Emergency Response Plan for the project
- Managing the updates of content and graphics on www.BergstromExpressway.com
- Managing the stakeholder mailing list

- Providing public involvement materials, such as fact sheets and frequently asked questions
 - Assisting with the writing and dissemination of construction updates to the public, including but not limited to e-newsletters and social media
 - Assisting with emergency/crisis communications as needed
 - Providing bilingual communications as needed
 - Provide ongoing reports to the Authority regarding the status of work performed and the success of the PIP
 - Help coordinate media inquiries
 - Support event management efforts with coordination and participation, as needed
- Provide assistance as requested from the Director of Community Relations for the management of the Public Involvement Consultant.

B. Website Management

Manage the project website, www.BergstromExpressway.com, throughout the life of the contract, including maintenance support and analytic reports.

C. Public Opinion Surveys

As directed, manage up to three (3) public opinion surveys through the life of the construction; two would be scheduled at certain milestones within the construction time period, and one would be post-construction.

D. 24/7 Hotline

Manage the 24/7 hotline, including the procurement of an afterhours answering service and documenting an extensive hotline log.

LIST OF ASSUMPTIONS

N/A

[END OF ATTACHMENT]



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #5
Quarterly Project Updates

Strategic Plan Relevance: Regional Mobility
Department: Engineering
Contact: Mike Sexton, Acting Director of Engineering
Associated Costs: N/A
Funding Source: N/A
Action Requested: Briefing and Board Discussion Only

Project Description/Background:

Projects under construction:

- A. 183A Phase III Project
- B. 183 North Mobility Project

Backup provided: None



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #6

Executive Director Board Report

Strategic Plan Relevance: Regional Mobility
Department: Executive
Contact: James M. Bass, Executive Director
Associated Costs: N/A
Funding Source: N/A
Action Requested: Briefing and Board Discussion Only

Project Description/Background:

Executive Director Report.

A. Agency performance metrics.

- (i) Roadway performance
- (ii) Call-Center performance

Backup provided: None



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #7

Executive Session

Executive Session:

Discuss the sale, transfer, or exchange of one or more parcels or interests in real property owned by the Mobility Authority and related legal issues as authorized by §551.071 (Consultation with Attorney) and §551.072 (Deliberation Regarding Real Property; Closed Meeting).



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #8

Executive Session

Executive Session:

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



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #9

Executive Session

Executive Session:

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



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #10

Executive Session

Executive Session:

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



CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY

July 27, 2022
AGENDA ITEM #11

Adjourn Meeting

Adjourn Board Meeting.