

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE NORTH EAST TEXAS  
REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 11-20**

WHEREAS, the North East Regional Mobility Authority (“NET RMA”) was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the “RMA Rules”); and

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

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Cass, Panola, Van Zandt, Wood and Titus joined the Authority and are represented on the Board of Directors; and

WHEREAS, in Resolution No. 09-20, the NET RMA Board of Directors authorized procuring the delivery of Segment 3B of Toll 49 (the “Toll 49 Segment 3B Project”) through a design/build comprehensive development agreement (“CDA”); and

WHEREAS, in Resolution No. 10-06, dated June 23, 2010, following the CDA procurement process, the NET RMA Board of Directors approved the selection of CH2M HILL Constructors, Inc. (“CH2M HILL”) as the team presenting the best value proposal and directed the Project Director and consulting team to negotiate a design/build CDA for the development of the Toll 49 Segment 3B Project with CH2M HILL; and

WHEREAS, in Resolution No. 10-12, dated October 20, 2010, the Board of Directors approved entry into the design/build CDA for the development of the Toll 49 Segment 3B Project with CH2M HILL, and the design/build CDA was executed on March 31, 2011; and

WHEREAS, on February 7, 2006, the NET RMA Board of Directors approved the selection of Atkins North America, formerly PBS&J, to serve as the general engineering consultant (“GEC”) to the NET RMA and authorized the Chairman to execute an agreement with Atkins for the provision of general consulting civil engineering services; and

WHEREAS, in Resolution No. 11-09, dated February 28, 2011, the NET RMA Board of Directors approved Work Authorization No. 15.0 for GEC support services required in connection with the development of the Toll 49 Segment 3B Project; and

WHEREAS, the GEC has developed a proposed scope of services for additional GEC support services related to archeological mitigation for the Toll 49 Segment 3B Project; and

WHEREAS, a copy of that proposed scope of services is contained in the supplement to Work Authorization No. 15.0 attached hereto as Attachment "A" ("Supplemental Work Authorization No. 15.1"); and


WHEREAS, the GEC has represented to the Board of Directors that the work reflected in Supplemental Work Authorization No. 15.1 is necessary and appropriate.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves Supplemental Work Authorization No. 15.1 in the form attached hereto as Attachment "A"; and

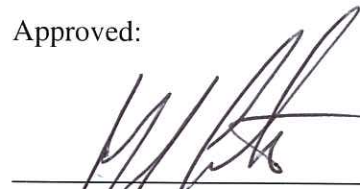
BE IT FURTHER RESOLVED, that all work performed under Supplemental Work Authorization No. 15.1 shall be subject to the Agreement for General Consulting Civil Engineering Services between the NET RMA and the GEC and that no additional work may be undertaken without the specific approval of the Board of Directors.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 17th day of August, 2011.

Submitted and reviewed by:

  
C. Brian Cassidy  
General Counsel for the North East  
Texas Regional Mobility Authority

Approved:

  
\_\_\_\_\_  
Jeff Austin, III  
Chair, Board of Directors  
Resolution Number 11-20  
Date Passed: 08/17/11