

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

**RESOLUTION NO. 12-08**

WHEREAS, the North East Texas 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, Panola, Wood, Cass, Van Zandt, and Titus joined the Authority and are represented on the Board of Directors; and

WHEREAS, in Resolution No. 09-20, dated August 17, 2009, 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 subsequently executed on March 31, 2011; and

WHEREAS, the design/build CDA may be amended from time to time through change orders agreed upon by the NET RMA and CH2M HILL; and

WHEREAS, the Board of Directors desires to authorize the execution of design/build CDA change orders in amounts up to and including \$50,000 subject to the approval of the Executive Committee; and

WHEREAS, the Board of Directors desires that all change orders in excess of \$50,000 shall be presented to the full Board for approval.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors authorizes the Executive Committee to approve design/build CDA change orders in amounts up to and including \$50,000; and


BE IT FURTHER RESOLVED, that the Project Director shall report to the Board of Directors at a subsequent Board meeting regarding any design/build CDA change orders approved in the manner set forth in this resolution; and

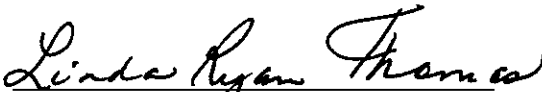
BE IT FURTHER RESOLVED, that change orders in excess of \$50,000 shall be presented to the full Board for approval.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 18th day of January, 2012.

Submitted and reviewed by:

Approved:

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

  
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Linda Ryan Thomas  
Chair, Board of Directors  
Resolution Number 12-08  
Date Passed: 01/18/12