

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

RESOLUTION NO. 12-14

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 design/build 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 Texas Department of Transportation (“TxDOT”) is constructing the remaining segments of Toll 49, including Segment 3A; and

WHEREAS, the NET RMA’s contractor for Segment 3B, CH2M HILL, and TxDOT’s contractor for Segment 3A, Longview Bridge and Road, Ltd., are both performing work at the intersection to Toll 49 and SH 31, and NET RMA consultants have worked with TxDOT to coordinate construction activities at the intersection in order to ensure quality and efficiency; and

WHEREAS, the NET RMA and TxDOT have agreed that TxDOT, though its contractor, will be responsible for certain paving activities at the intersection of Toll 49 and SH 31; and

WHEREAS, completion of the paving work at the intersection of Toll 49 and SH 31 by TxDOT will reduce the amount due to CH2M HILL under the design/build CDA by \$23,597; and

WHEREAS, the NET RMA Project Director has recommended the approval of Change Order No. 4 to the design/build CDA with CH2M HILL to reflect the performance of certain paving activities at the intersection of Toll 49 and SH 31 by TxDOT and reduce the amount due to CH2M HILL under the design/build CDA by \$23,597.

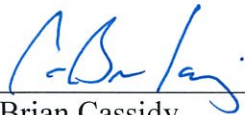
NOW THEREFORE, BE IT RESOLVED, that the NET RMA Board of Directors hereby approves Change Order No. 4 to the design/build CDA with CH2M HILL; and

BE IT FURTHER RESOLVED, that Change Order No. 4 may be finalized and executed by the Project Director.

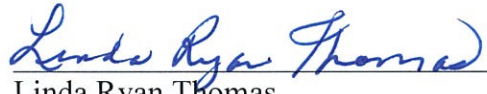
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 13th day of March, 2012.

Submitted and reviewed by:

Approved:



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



Linda Ryan Thomas
Chair, Board of Directors
Resolution Number 12-14
Date Passed: 03/13/12