THE STATE OF TEXAS §

COUNTY OF CAMERON §

BE IT REMEMBERED on the 12th day of January 2017, there was conducted a Regular Meeting of the Cameron County Regional Mobility Authority, at the Joe G. Rivera and Aurora de la Garza County Annex thereof, in San Benito, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.

THE BOARD MET AT:

12 Noon

PRESENT:

FRANK PARKER, JR.
CHAIRPERSON

RUBEN GALLEGOS, JR.
DIRECTOR

DAVID N. GARZA
DIRECTOR

_____
DIRECTOR

MARK ESPARZA
DIRECTOR

NAT LOPEZ
DIRECTOR

HORACIO BARRERA
DIRECTOR

MICHAEL F. SCAIEF
ABSENT

_____
ABSENT

_____
ABSENT

The Meeting was called to order by Chairman Frank Parker, Jr., at 12:00 Noon. At this time, the Board considered the following matters as per RMA Agenda posted and filed for Record in the Office of the County Clerk on this 6th day of January 2017 at 8:36 A.M. and Supplemental Notice filed on the 9th day of January, 2017 at 9:58 A.M.

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

AGENDA

Regular Meeting of the Board of Directors
of the
Cameron County Regional Mobility Authority

Joe G. Rivera and Aurora de la Garza County Annex
1390 West 169E
San Benito, Texas 78586

Thursday, January 12, 2017

12:00 Noon

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
Document Number:
Sylvia Garza-Perez
County Clerk
Cameron County

PUBLIC COMMENTS:

1. Public Comments.

PRESENTATIONS, RESOLUTIONS AND/OR PROCLAMATION ITEMS:

2. Presentations/Resolutions/Proclamations

   A. Presentation on the Status of the Outer Parkway Project.

   B. Presentation on the Status of the SH 550 Gap 1 Project.

   C. Presentation on the Status of the Spur 54 Project.

   D. Presentation on the Status of the Value Engineering Study and Recommendations for the SPI 2nd Access Project.

   E. Presentation of the Marketing Report for the month of December 2016.

   F. Presentation of the Cameron County Regional Mobility Authority 2016 Project Summary Report.

   G. Presentation of a Draft Strategic Plan for 2017-2021.

CONSENT ITEMS:

3. All Item(s) under the Consent RMA Agenda are heard collectively unless opposition is presented, in which case the contested Item will be considered, discussed, and appropriate action taken separately

   A. Consideration and Approval of the Minutes for:

      December 14, 2016 – Special Meeting
      January 9, 2017 – Special Meeting

ITEMS FOR DISCUSSION AND ACTION:

4. Action Items

   A. Approval of Claims.

   B. Consideration and Approval of the Financial Statements and Budget Amendments for the month of December 2016.

   C. Consideration and Approval of the Cameron County Regional Mobility Authority's Amended Procurement Policies.

   D. Consideration and Authorization to Award Bid for the SH 550 Slope Erosion and Concrete Barrier Installation to Clore Construction.

   E. Consideration and Approval of Work Authorization No. 8 with S&B Infrastructure for Construction Management Oversight and Inspection for the SH 550 Slope Erosion and Concrete Barrier Installation.

   F. Consideration and Approval of purchasing concrete barriers from the Texas Department of Transportation for the SH 550 Slope Erosion and Concrete Barrier Installation Project.

   G. Consideration and Authorization to Request For Qualifications (RFQ) for Design, Engineering and Construction Management Services for the SH 550 Gap 2 Project.

   H. Consideration and Authorization for Staff to Request For Qualifications (RFQ) for Environmental Assessment Services and related Engineering Services to include Schematics for the SH 32 (East Loop) Project.

   I. Consideration and Approval of a Memorandum of Agreement (MOA) between the Cameron County Regional Mobility Authority and the United States Section of the International Boundary and Water Commission for the SH 32 (East Loop) Project.

EXECUTIVE SESSION

5. Executive Session

A. Confer with Legal Counsel regarding the Cameron County Regional Mobility Authority VS. MCMD, Case, Cause No. 2012-CCL-931, the legal status of the case, the handling of the case and legal issues pertaining thereto, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A),(B) and (2).

B. Confer with Legal Counsel regarding Cause No. 2014-DCL-02536-D, Cameron County Regional Mobility Authority v. MCAR Development, Ltd., (Parcel 8), pursuant to V.T.C.A., Government Code, Section 551.071 (1)(A) and (B).

C. Confer with Legal Counsel regarding Toll Revenue Collections, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A) and (2).

6. Action Relative to Executive Session

A. Possible Action.

B. Possible Action.

C. Possible Action.

ADJOURNMENT:

Signed this 6th day of January 2017

Frank Parker, Jr.
Chairman

NOTE:
Participation by Telephone Conference Call – One or more members of the CCRMA Board of Directors may participate in this meeting through a telephone conference call, as authorized by Sec. 370.262, Texas Transportation Code. 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 recorded. On conclusion of the meeting, the recording will be made available to the public.

PUBLIC COMMENTS

1 PUBLIC COMMENTS

None were presented.

PRESENTATIONS, RESOLUTIONS AND/OR PROCLAMATION ITEMS

2-A Presentation of the Status of the Outer Parkway Project.

Mr. Daniel Rios with S&B Infrastructure went over the Presentation on the Status of the Outer Parkway Project with the Board.

Vice Chair Gallegos moved to acknowledge the Status of the Outer Parkway Project. The motion was seconded by Director Esparza and carried unanimously.

The Power Point is as follows:

2-B Presentation of the Status of the SH 550 Gap 1 Project.

Mr. Daniel Rios with S&B Infrastructure went over the Presentation on the Status of the SH 550 Gap 1 Project. Attached is the Power Point Presentation

Director Esparza moved to acknowledge the Status of the SH 550 Gap 1 Project. The motion was seconded by Vice Chair Gallegos and carried unanimously.

The Power Point is as follows:

2-C Presentation of the Status of the Spur 54 Project.

Mr. Daniel Rios with S&B Infrastructure went over the update for the Spur 54 Project. Attached is the Power Point Presentation.

Vice Chair Gallegos moved to acknowledge the Status of the Spur 54 Project. The motion was seconded by Director Esparza and carried unanimously.

The Power Point is as follows:

2-D Presentation of the Status of the Value Engineering Study and Recommendations for the SPI 2nd Access Project.

Mr. Pete Sepulveda, Jr., RMA Executive Director went over the Status of the Value Engineering Study and the Recommendations with the Board. Mr. Sepulveda mentioned that a written report would be provided to the Board in February.

Director Esparza moved to acknowledge the Status of the Value Engineering Study and Recommendations for the SPI 2nd Access Project. The motion was seconded by Vice Chair Gallegos and carried unanimously.

2-E Presentation of the Marketing Report for the month of December 2016.

Mr. Adrian Rincones, RMA Chief Financial Officer went over a status report for the month of December 2016. The report is attached.

Secretary Garza moved to acknowledge the Marketing Report for the Month of December 2016. The motion was seconded by Director Esparza and carried unanimously.

The Report is as follows:

2-F Presentation of the Cameron County Regional Mobility Authority 2016 Project Summary Report.

Mr. Adrian Rincones, RMA Chief Financial Officer went over the Report with the Board.

Secretary Garza moved to acknowledge the Cameron County Regional Mobility Authority 2016 Project Summary Report. The motion was seconded by Director Esparza and carried unanimously.

The Report is as follows:

2-G Presentation of a Draft Strategic Plan for 2017-2021.

Mr. Pete Sepulveda, Jr., RMA Executive Director went over the Draft Strategic Plan with the Board. After some discussion the Board recommended a Workshop be held in two weeks.

Vice Chair Gallegos moved to acknowledge the Draft Strategic Plan for 2017-2021. The motion was seconded by Secretary Garza and carried unanimously.

The Report is as follows:

CONSENT ITEMS

ALL ITEM(S) UNDER THE CONSENT RMA AGENDA ARE HEARD COLLECTIVELY UNLESS OPPOSITION IS PRESENTED, IN WHICH CASE THE CONTESTED ITEM WILL BE CONSIDERED, DISCUSSED AND APPROPRIATE ACTION TAKEN SEPARATELY

3-A Consideration and Approval of the Minutes for:

December 14, 2016 – Special Meeting
January 9, 2017 – Special Meeting

Director Esparza moved to approve the minutes for December 14, 2016 Special Meeting and the minutes for January 9, 2017 Special Meeting. The motion was seconded by Vice Chair Gallegos and carried unanimously.

ACTION ITEMS

4-A Approval of Claims

The attached claims were presented to the Board of Directors for approval.

Mr. Adrian Rincones, RMA Chief Financial Officer went over the Claims.

Secretary Garza moved to approve the Claims as presented. The motion was seconded by Director Barrera and carried unanimously.

The Claims are as follows:

4-B Consideration and Approval of the Financial Statements and Budget Amendments for the month of December 2016.

Mr. Adrian Rincones, RMA Chief Financial Officer went over the Financial Statements for December 2016.

Secretary Garza moved to approve the Financial Statements for the month December 2016. The motion was seconded by Director Esparza and carried unanimously.

The Financial Statements are as follows:

4-C Consideration and Approval of the Cameron County Regional Mobility Authority's Amended Procurement Policies.

Mr. Pete Sepulveda, Jr., RMA Executive Director went over the recommended Amended Procurement Policies. Mr. Sepulveda mentioned that Attorney Brian Cassidy had prepared the amended policies.

Secretary Garza moved to approve the Cameron County Regional Mobility Authority's Amended Procurement Policies. The motion was seconded by Director Esparza and carried unanimously.

The Policies are as follows:

4-D Consideration and Authorization to Award Bid for the SH 550 Slope Erosion and Concrete Barrier Installation to Clore Construction.

Mr. Daniel Rios and Mr. Hector Lopez with S&B Infrastructure presented and discussed the item in detail with the Board. S&B Infrastructure's recommendation was to award the bid to Clore Construction.

Vice Chair Gallegos moved to approve awarding the Bid for the SH 550 Slope Erosion and Concrete Barrier Installation to Clore Construction. The motion was seconded by Secretary Garza and carried unanimously.

The Award Letter is as follows:

4-E Consideration and Approval of Work Authorization No. 8 with S&B Infrastructure for Construction Management Oversight and Inspection for the SH 550 Slope Erosion and Concrete Barrier Installation.

Mr. Pete Sepulveda, RMA, Executive Director went over the need for the Work Authorization and recommended approval.

Vice Chair Gallegos moved to approve awarding of Work Authorization No. 8 to S&B Infrastructure for Construction Management Oversight and Inspection for the SH 550 Slope Erosion and Concrete Barrier Installation. The motion was seconded by Director Barrera and carried unanimously.

The Work Authorization is as follows:

4-F Consideration and Approval of purchasing concrete barriers from the Texas Department of Transportation for the SH 550 Slope Erosion and Concrete Barrier Installation Project.

Mr. Pete Sepulveda, RMA, Executive Director went over the item and informed the Board that the Texas Department of Transportation has approved the request. Attached is the letter from TxDOT.

Secretary Garza moved to approve purchasing concrete barriers from the Texas Department of Transportation for the SH 550 Slope Erosion and Concrete Barrier Installation Project. The motion was seconded by Director Barrera and carried unanimously.

The Letter is as follows:

4-G Consideration and Authorization to Request For Qualifications (RFQ) for Design, Engineering and Construction Management Services for the SH 550 Gap 2 Project.

Secretary Garza moved to **TABLE** the item. The motion was seconded by Vice Chair Gallegos and carried unanimously.

4-H Consideration and Authorization for Staff to Request For Qualifications (RFQ) for Environmental Assessment Services and related Engineering Services to include Schematics for the SH 32 (East Loop) Project.

Secretary Garza moved to **TABLE** the item. The motion was seconded by Vice Chair Gallegos and carried unanimously.

4-I Consideration and Approval of a Memorandum of Agreement (MOA) between the Cameron County Regional Mobility Authority and the United States Section of the International Boundary and Water Commission for the SH 32 (East Loop) Project.

Secretary Garza moved to **TABLE** the item. The motion was seconded by Vice Chair Gallegos and carried unanimously.

EXECUTIVE SESSION ITEMS

Vice Chair Gallegos made a motion at 12:01 P.M. to go into Executive Session. The motion was seconded by Director Lopez and carried unanimously.

EXECUTIVE SESSION:

5-A Confer with Legal Counsel regarding the Cameron County Regional Mobility Authority VS. MCMD, Case, Cause No. 2012-CCL-931, the legal status of the case, the handling of the case and legal issues pertaining thereto, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A),(B) and (2).

5-B Confer with Legal Counsel regarding Cause No. 2014-DCL-02536-D, Cameron County Regional Mobility Authority v. MCAR Development, Ltd., (Parcel 8), pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A) and (B).

5-C Confer with Legal Counsel regarding Toll Revenue Collections, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A) and (2).

Secretary Garza moved to come back into open session at 12:50 P.M. The motion was seconded by Director Esparza and carried unanimously.

NOTE: Director Barrera was not in Executive Session for Items 5-A and 5-B.

ACTION RELATIVE TO EXECUTIVE SESSION:

6-A Confer with Legal Counsel regarding the Cameron County Regional Mobility Authority VS. MCMD, Case, Cause No. 2012-CCL-931, the legal status of the case, the handling of the case and legal issues pertaining thereto, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071(1)(A),(B) and (2).

Vice Chair Gallegos moved to proceed as discussed in Executive Session. The motion was seconded by Secretary Garza and carried as follows:

AYE: Chairman Parker, Vice Chair Gallegos, Secretary Garza, Director Esparza and Director Lopez

NAY: None

ABSTAIN: Director Barrera

6-B Confer with Legal Counsel regarding Cause No. 2014-DCL-02536-D, Cameron County Regional Mobility Authority v. MCAR Development, Ltd., (Parcel 8), pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A) and (B).

Vice Chair Gallegos moved to proceed as discussed in Executive Session. The motion was seconded by Secretary Garza and carried as follows:

AYE: Chairman Parker, Vice Chair Gallegos, Secretary Garza, Director Esparza and Director Lopez

NAY: None

ABSTAIN: Director Barrera

6-C Confer with Legal Counsel regarding Toll Revenue Collections, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A) and (2).

Vice Chair Gallegos moved to proceed as discussed in Executive Session. The motion was seconded by Director Esparza and carried unanimously.

SUPPLEMENTAL NOTICE AGENDA

CONSENT ITEMS

1-A Consideration and Approval of a Resolution approving the CCRMA's Legislative Agenda for the 85th Legislature.

Mr. Pete Sepulveda, Jr., RMA Executive Director went over the Legislative Agenda.

Director Esparza moved to approve the Resolution for the CCRMA's Legislative Agenda for the 85th Legislature. The motion was seconded by Secretary Garza and carried unanimously.

The Resolution is as follows:

EXECUTIVE SESSION ITEMS

EXECUTIVE SESSION:

2-A Deliberation and Discussion Concerning Personnel Issues, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074.

ACTION RELATIVE TO EXECUTIVE SESSION:

3-A Deliberation and Discussion Concerning Personnel Issues, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074.

Secretary Garza moved to proceed as discussed in Executive Session. The motion was seconded by Vice Chair Gallegos and carried unanimously.

ADJOURNMENT

There being no further business to come before the Board and upon motion by Vice Chair Gallegos and seconded by Secretary Garza and carried unanimously the meeting was **ADJOURNED** at 1:51 P.M.

APPROVED this 9th day of February 2017.

CHAIRMAN FRANK PARKER, JR.

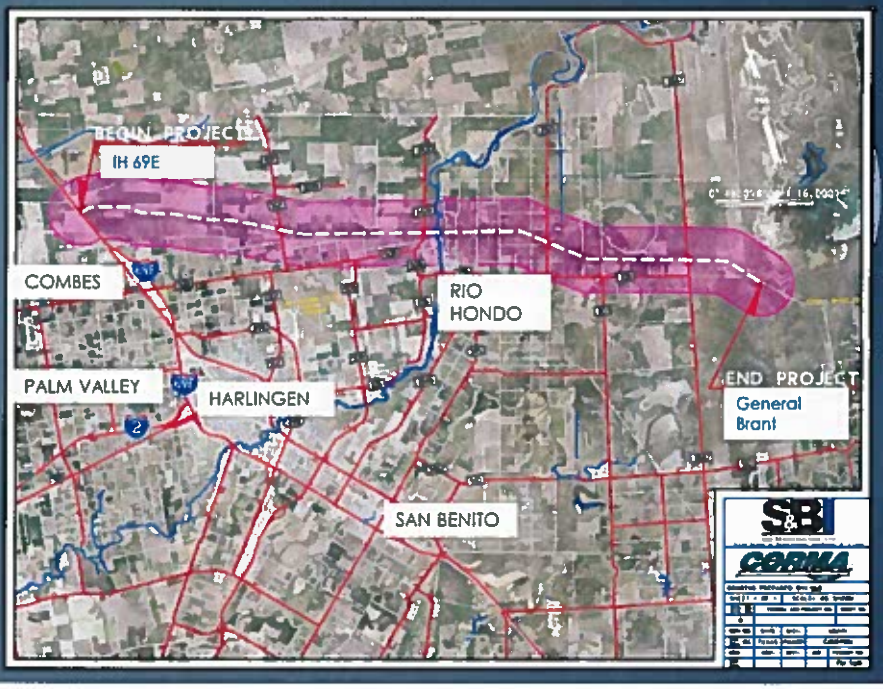
ATTESTED:

SECRETARY DAVID N. GARZA

2-A PRESENTATION ON THE STATUS OF THE OUTER PARKWAY PROJECT

AGENDA ITEM 2A – STATUS OF THE OUTER PARKWAY PROJECT

- OUTER PARKWAY – SBI Team tasked with APD
  - Limits from I-69E/US 77, north of Harlingen, to FM 106/General Brant Road
  - 10,000 ft. wide corridor to be studied with a minimum of 3 alignment alternatives
  - The Outer Parkway will include construction of approximately 21.5 miles of new location four-lane divided highway



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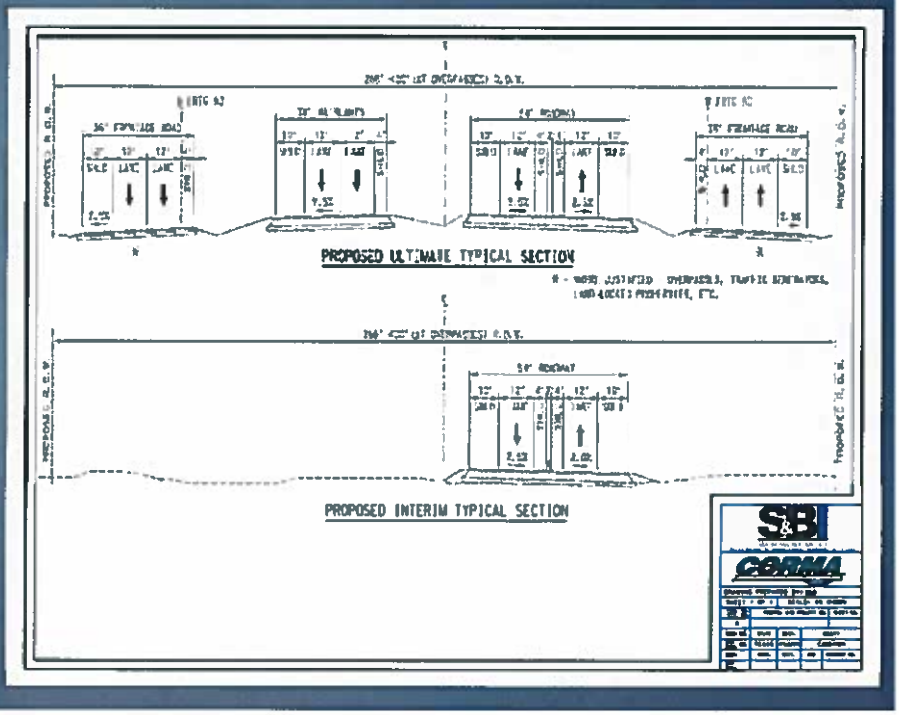
CONTINUED – OUTER PARKWAY

- The tolled, controlled access Interstate would consist of a proposed 268 ft. wide right-of-way expanding to a 400 ft. wide right-of-way at major intersections.
- Construction would be phased with the proposed interim facility consisting of two lanes in each direction separated by a median barrier. With the ultimate being a four-lane facility with a depressed median.
- Frontage roads would only be placed where justified.



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OUTER PARKWAY MILESTONES

- KICKOFF MEETING (completed)
  - January 04, 2017
- SCHEMATIC SUBMITTALS
  - 30% Complete
    - Spring 2017
  - 60% Complete
    - Summer 2017
  - 90% Complete
    - Fall 2017
  - 100% Complete
    - Winter 2017
- PUBLIC INVOLVEMENT
  - 2 Public Meetings
    - Meeting #1 (Workshop Format) Summer 2017
    - Meeting #2 Fall 2017
  - 1 Public Hearing
    - Spring 2018
  - Environmental, Schematic and Interstate Access Justification Report Clearance
    - Late Summer 2018

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2-B PRESENTATION ON THE STATUS OF THE SH 550 GAP 1 PROJECT

AGENDA ITEM 2B – STATUS OF THE SH 550 GAP 1 PROJECT

- SH 550 GAP 1 (SBI Team tasked with PS&E and CM)
  - Limits from 0.53 miles east of Old Alice Road to 0.48 miles west of FM 1847, approx. 1.24 miles
- SH 550 Gap 1 Construction Items
  - Construction of tolled lanes with concrete pavement for the first "Gap" of SH 550.
  - Slope erosion repairs and bridge riprap repairs at FM 1847
  - Slope erosion repairs at Union Pacific Railroad Crossing
  - Bridge Construction on Southbound main lanes for Drain Ditch #3

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SH 550 MILESTONES

- Receipt of State Letter of Authority (SLOA) from TxDOT - January 4, 2017
- Project was advertised for bid on in the Brownsville Herald and The Monitor newspapers - January 8, 15, and 22, 2017 in addition to CIVCAST and ESBD
- Mandatory Pre-Bid Meeting – January 17, 2017
- Open Bids - January 31, 2017
- Anticipated Construction to Start – Summer 2017
- Anticipated Project Completion – Spring 2018

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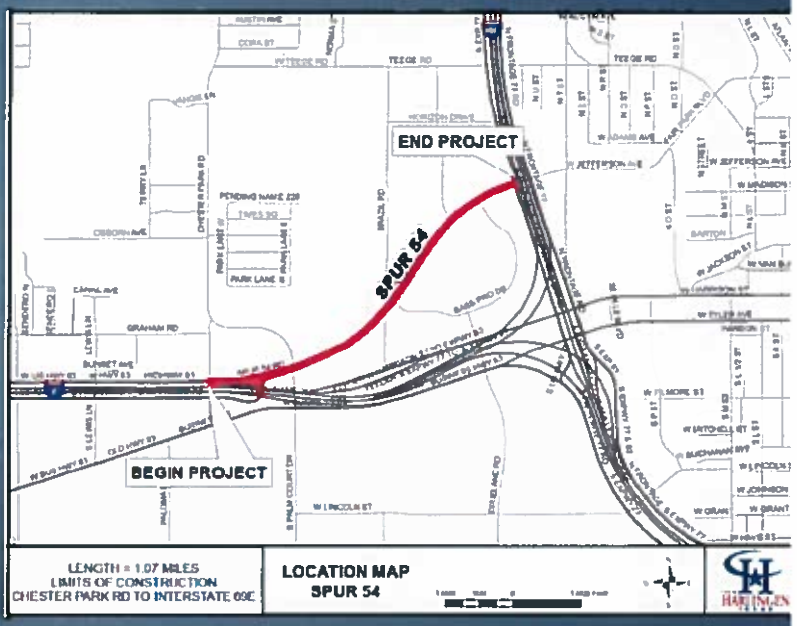
2-C PRESENTATION ON THE STATUS OF THE SPUR 54 PROJECT

AGENDA ITEM 2C – STATUS OF THE SPUR 54 PROJECT

- SPUR 54 – (SBI Team tasked with Environmental Services in support of Environmental Decision (CE))
  - From Chester Park Road to I-69E SB Frontage Road, approx. 0.84 miles
  - Convert from a 4 lane divided roadway to a 6 lane roadway with raised landscaped center islands and potential bike lanes/paths, making it more attractive for development and providing greater quality of life to residents
  - Total reconstruction and widening from 4 to 6 lanes
  - TxDOT tasked with PS&E



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SPUR 54 MILESTONES

- Prepare Scoping Document: 100% complete. August 2016
- Meeting with TxDOT/CCRMA: 100% complete. August 2016
- Hazardous Materials Technical Report and ISA: 95% complete
- Biological Evaluation Form: 95% complete
- Noise Analysis Documentation: 50% complete. Pending Traffic from TxDOT
- Archeological Background Study: 95% complete
- Historic Resources PCR Form: 95% complete
- Air Quality (Qualitative MSAT) Technical Report: 95% complete
- Public Involvement (Opportunity for Public Hearing): Once environmental cleared by TxDOT Pharr
- General Coordination: On Going.
- TxDOT requested a status update on traffic from Traffic Division on Wednesday January 4, 2017, but have not received a response yet. Traffic data typically requires 6 months.
- Anticipated clearance: June 2017
- Project LET date: June 2018

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2-E PRESENTATION OF THE MARKETING REPORT FOR THE MONTH OF DECEMBER 2016

MEMORANDUM

TO: CCRMA Board Members
FROM: April Romero
DATE: January 5, 2017
SUBJECT: Marketing December 2016 Summary Report

In late November 2016, I was hired as a marketing intern. During my time here, I have completed a number of marketing projects, including digital and print advertising, social media management, events and content writing and design. Over the last month, I have worked with both CCRMA and CCRMA's new toll processing service.

November/December Activities:

For CCRMA Toll Processing Service (TPS), I have focused on advertising and social media management. These projects include:

- TPS Holiday Giveaway Flyer
- TPS Live Flyer
- TPS Live Press Release
- TPS Facebook SH550 Digital Ad
- TPS Event Photo Editing
- TPS Business Cards (In Progress)

For CCRMA, I have worked on mostly content and design projects. These projects include:

- CCRMA Financial Report Cover
- CCRMA Holiday Card
- CCRMA E-Newsletter Template Designs
- BTAC Event Reception For Secretary of State (Scheduling, Emailing, Planning)
- CCRMA Strategic Plan Content and Design Editing (In Progress)
- CCRMA Annual Report Design (In Progress)

Listed below are some marketing project ideas I have come up with thus far for January 2017:

- Creation of Strategic Marketing Plan (In conjunction with RGV Spotlight)
- Quarterly CCRMA E-Newsletter
- Completing Strategic Plan 2017 - 2021
- 2017 Annual Report
- Press Release for Upcoming Bids (SH550 Gap I)
- Branding and TPS Promos/Events

2-F PRESENTATION OF THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY 2016 PROJECT SUMMARY REPORT

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
2016 – PROJECT STATUS REPORT

It is our privilege to present to you the Cameron County Regional Mobility Authority (CCRMA) Project Summary Report for the 2016 calendar year. The CCRMA is planning a complete system of transportation infrastructure that will support economic development and increase safety for the benefit of Cameron County and the Rio Grande Valley region. Our projects will integrate regional planning, multi-modal options and modern technology to develop a world-class transportation system.

SPI 2nd Access Project

This is the most critical safety Project in Texas. South Padre Island has been recognized as the cleanest beach in Texas. As a result, South Padre Island needs a dependable, safe exit facility during Hurricane Season. With the current Queen Isabella Memorial Causeway it is estimated that it could take most of the day to exit the Island to high ground during Hurricane Season.

This Project consists of three major components: the mainland roadway, the Laguna Madre crossing bridge and the island roadway. The route under consideration includes a mainland roadway consisting of a four-lane road, crossing across Laguna Madre with about 8 miles of tolled lanes. The total length of the SPI 2nd Access Project is approximately 17.6 miles.

This Project continues in the environmental phase in accordance with the National Environment Policy Act (NEPA). The SPI 2nd Access has been identified as the most environmentally complex Project in the Country requiring a very stringent and lengthy process. In 2016 the CCRMA did advance the following critical environmental processes:

- Management and coordination with weekly teleconferences that included the Pharr District, TxDOT Environmental Division, General Engineering Consultant
- Executive Committee meeting coordination (FHWA, ENV, District, and CCRMA)
- Final Environment Impact Statement – U.S. Coast Guard 50% Review Complete
- Biological Assessment/Terrestrial – 95% Complete
- Initiation of Sea Grass Pilot Study – 1 year Pilot Study kicked off August 2016
- SPI Dune Delineation aerial and LIDAR data plan – 90% complete
- Re-evaluation of overall mitigation plan and alternatives

Preliminary engineering and project finance activities also made significant progress this past year.

- Preliminary Schematic design – 100% complete
- LIDAR survey and Aerial imaging – preliminary 100% complete
- Preliminary Right of Way Mapping – 100% complete
- Preliminary Utility identification and location mapping – 100% complete

- Subsurface Geotechnical Investigation and Report – 100% complete
- Preliminary Drainage and Hydrology Report updated – 100% complete
- Draft financial planning – 75% complete
- T&R and Project Feasibility reports – 75% complete
- Draft Procurement Timelines developed – 100% complete
- Industry review and one-on-one meetings – 100% complete
- Value Engineering (VE) Study and final recommendations– 100% complete

In March of 2016 the CCRMA began outreach efforts with industry by holding an Industry Review Meeting on South Padre Island. The meeting was a success with nearly 200 attendees from all areas of industry interested in the development of the Project. The purpose of the meeting was to provide a status update of the Project and welcome feedback from developers on the future procurement and development of the Project. The CCRMA later hosted 11 one-on-one confidential meetings with developers to discuss in further detail and gather feedback as to development, delivery, funding, and procurement of the Project. One of the goals of the CCRMA is to increase project feasibility by driving down potential costs (initial and life cycle costs) and reducing the scope of environmental impacts. The CCRMA determined a Value Engineering Study would be of the most cost efficient means to accomplish this. Through several meetings with TxDOT administration and Transportation Commissioners the CCRMA was able to have TxDOT sponsor the cost of the study and provide technical experts from other districts to participate. The VE Study took place the first week of October 2016 at South Padre Island. In December 2016 the CCRMA was able to finalize the VE recommendations to be pursued and developed which can result in more than $300 million dollars in cost savings including a possible 80% reduction in impacts to sea grass and required mitigation. This is very significant advance for this Project and will require some project scope and design changes, but overall we feel the value alone makes any potential delay worth it. (See Exhibit 1 for proposed project map)

SH 32 (East Loop)

The East Loop Corridor serves the Port of Brownville, which exports and imports over 6.3 million metric tons of steel petroleum, machinery, ores and other international trade exports to our Mexico partners. Existing truck route passes through 6 school zones. The East Loop Corridor will eliminate these school-crossing conflicts and improve safety for our children.

Eliminating 17 stops and 6 school zone crossings will significantly improve air quality in the East Loop Corridor. Creating the East Loop Corridor for trucks from Mexico/Veterans International Bridge at Los Tomates to the Port of Brownsville will reduce congestion on I-69E/SH 48 as well as reduce the time of travel on all roadways in the Corridor.

Progress on the environmental phase continued steady as we had been coordinating the various phases and stakeholders of the Environmental Assessment. This phase did arrive at a significant change in 2016 called upon by TxDOT Environmental Division where now all parts of the Project were to be combined into one Environmental Assessment document. This Project at the instruction of both TxDOT and FHWA had been approached in two different segments for the Environmental Assessments since the CCRMA began developing it. This new change required by TxDOT Environmental Division not only requires the combining of the two documents but includes the

addition of a new portion connecting SH 4 to the Port of Brownsville. This change would require additional scope and work that would ultimately increase the cost. The CCRMA was able to secure federal funding to continue the development of the Environmental Assessment however this will require re-procurement of engineering services to qualify. The CCRMA will be issuing the new procurement early 2017 and assess the new target completion date. Other activities included an application for a Fast Lane Grant for construction dollars for this Project and request for additional funding from TxDOT to replace pass through agreement funds. (See Exhibit 2 for proposed project map)

Outer Parkway

The Outer Parkway would provide a new east-west travel route in northeastern Cameron County. It would extend from I-69E to FM 106 in the vicinity of FM 1847. Currently proposed, the Outer Parkway would be a controlled access and tolled facility. Although construction may be phased, the ultimate facility would consist of two lanes in each direction, separated by a wide center median reserved for future transportation use.

The major activity accomplished for this Project in 2016 was the negotiation of the scope for environmental services to begin on this Project. The Project kickoff meeting was held on January 4, 2017 and project scope and Environmental Assessment and FONSI completion is expected between 18-24 months. (See Exhibit 3 for proposed project map)

FM 1925 Project

This is a Joint Project in which CCRMA, HCRMA, and TxDOT have agreed to develop the Environmental Document and preliminary engineering together. The CCRMA and HCRMA will be jointly developing the Environmental Document of the Project with TxDOT providing project management and related engineering services. A needs assessment for this Project was completed by TxDOT in March 2015 resulting with it being a desirable project initiating as a Super 2 Highway by the year 2020 with future expansion to a four lane freeway by 2035. Traffic demand will ultimately dictate future expansion. (See Exhibit 4 for proposed project map)

Spur 54 Project

The Spur 54 Project is located in Harlingen and will ultimately provide improved traffic flow and connectivity between I-69E and I-2. The Project is approximately 1.07 miles in length and will provide two additional 12-foot travel lanes with sidewalks for pedestrian access within existing right of way. In August 2016 the CCRMA was given notice to proceed on the development of the required environmental document for the Project. Completion of document is expected in mid-2017. When completed Spur 54 will be a six-lane corridor with pedestrian and bicycle access. (See Exhibit 5 for proposed project map)

SH 550 Gap I & II Projects

The SH 550 is a controlled access facility that connects SH 48 and the Port of Brownsville to I-69E. The ultimate configuration of the Project consists of five segments. Three segments have been completed with the most recent, the Direct Connector opened in July 2015. The next segment to be constructed is the 550 GAP I Project. In November 2016, TxDOT and the CCRMA executed a Financial Assistance Agreement whereby TxDOT will provide $6M in the form of a grant for the construction of the Project. The final bid package has been submitted to TxDOT for review with an anticipated advertisement date in January 2017. This project will help improve the safety and mobility in the area by allowing heavy commercial and high-speed traffic to utilize the SH 550 bypassing a local public school, power plant, and Border Patrol facility. In addition to these benefits in November 2015 the Federal Highway Administration confirmed that the Direct Connector segment was completed to Interstate standards and gave approval for it to be added to the Interstate System with the conditional approval of the numbering as I-169. The Gap I Project would further extend that interstate corridor. The Project required redesign and re-evaluation of environmental documents before the construction could be initiated. (See Exhibit 6a – SH 550 Gap I Project location map)

The Gap II Project will be the final segment to be completed with an approximate length of 3 miles. The estimated cost to complete this Project is $15 million and is partially funded as of now. The CCRMA anticipates having all resources in place to begin construction in 2018. (See Exhibit 6b – SH 550 Gap II Project location map)

The CCRMA has also prepared and bid out maintenance work on SH 550 to address slope erosion, install concrete barrier, and roadway improvements. CCRMA has received a recommendation from GEC on awarding the bid and plans to do so in early 2017.

West Railroad Relocation Project

The West Railroad Relocation Project (West Rail) for Brownsville, Cameron County, Texas and Matamoros, Tamaulipas, Mexico was constructed as an alternative to constructing a series of grade separations along the existing Union Pacific Railroad (UPRR) route in the residential and downtown areas of Brownsville and along the Kansas City Southern Mexico (KCSM) route in Matamoros, Mexico.

This Project was opened for train traffic in August 2015 which marked a historical event with the first new international rail bridge to cross the border between Texas and Mexico in over a century. The Project still requires some final pending items to close out. The CCRMA and the County were able to secure additional CBI funding in order to pay the pending items. (See Exhibit 7 West Rail Relocation Project Photo)

Olmito Switchyard and Repair In Place (RIP) Facility

The RIP is complete and fully operational. Currently working with TxDOT in closing out the Project. Project expected to be closed out in early 2017. Project cost was $3.6 million. (See Exhibit 8 Olmito Switchyard and RIP Project Photo)

U.S. 77 Interstate I-69 Conversion

This is a multi-agency project that the CCRMA is participating in that will ultimately provide improved mobility residents and business located in the Rio Grande Valley. The improvements will help promote economic development, improved travel times, and safer travel along the corridor. (See Exhibit 9 for Project Map)

Below are some of the major projects remaining for the conversion:

U.S. 77 Project (Robstown) - Upgrade to interstate standards in Nueces County from FM 0892 to CR 30.

- Currently Under Construction
- Work Began: 01/04/2016
- Orig. Contract Price: $38,721,708.43
- Orig. Bid Days: 527
- Currently in Phase 2
- Piling & MSE walls for future NB Mainlanes ongoing for future FM 2826 Overpass
- Building NB Mainlanes & Frontage Road, installing Flex Base

U.S. 77 Project (Bishop) - Upgrade to interstate standards in Nueces and Kleberg County from FM 1898 to FM 3354.

- Currently Under Construction
- Substantial Completion expected in February. Work schedule has been negatively impacted by weather.

U.S. 77 Projects (Under Development) - Upgrade to interstate standards in Kleberg County from Kingsville south to Riviera.

0102-04-099: From FM 1356 to CR 2130 (Kingsville Relief Route)

- Includes overpass at FM 1717
- Environmental documentation complete
- ROW map complete and approved

U.S. 77 Interstate I-69 Conversion - Continued

- ROW acquisition underway with approximately 20 parcels expected to be acquired by January 2019
- PS&E scheduled to be assigned to consultant for preparation
- Current letting date is January 2020
- No construction funding

0102-04-097: From CR 2130 to 1.5 mi. North of SH 285

- Environmental documentation complete
- ROW map nearly complete with all survey field work done
- PS&E not under development
- Current letting date is February 2021
- No construction funding

0102-04-098 & 0327-01-030: Riviera Relief Route

- Environmental documentation complete
- ROW map in development
- PS&E not under development
- Current letting date is September 2023
- No construction funding

Transportation Reinvestment Zones (TRZ)

In 2015 Cameron County in partnership with CCRMA created a Countywide Transportation Reinvestment Zone. The creation of the zone included more than fifty eligible projects that the county identified to receive funding for development from the zone. The zone is in the early stages and will take time to ramp up its funding. The CCRMA and the County have been working on finalization of the first year total funding and is expected a distribution mid-2017. A preliminary status of projects is being worked on so development and planning can begin.

Toll Operations

In September 2014, the CCRMA began the process to develop and ultimately acquire the necessary software to provide video and aviation tolling also known as the back office solution locally in Cameron County. The purpose of the development is to support the SH 550 toll operations and any other tolling operations in the Rio Grande Valley and create local jobs in the community. The CCRMA has created agreements with local International Bridge owners and upcoming toll roads to develop interoperability and support services. Interoperability in the Rio Grande Valley will help create business efficiencies and improve mobility using technology.

The deployment team consisted of CCRMA as Project Manager, Fagan Consulting as Technical Experts and TollPlus, Inc. as Vendor/Developer. The team was able to deploy system a total of 7 months ahead of schedule for a realized savings of over $375,000. The new back office solution TPS/CCRMA went live on December 12, 2016.

APPENDIX

Exhibit 1 – SPI 2nd Access Proposed Project map

Exhibit 2 – SH32 East Loop Project Proposed Project Map

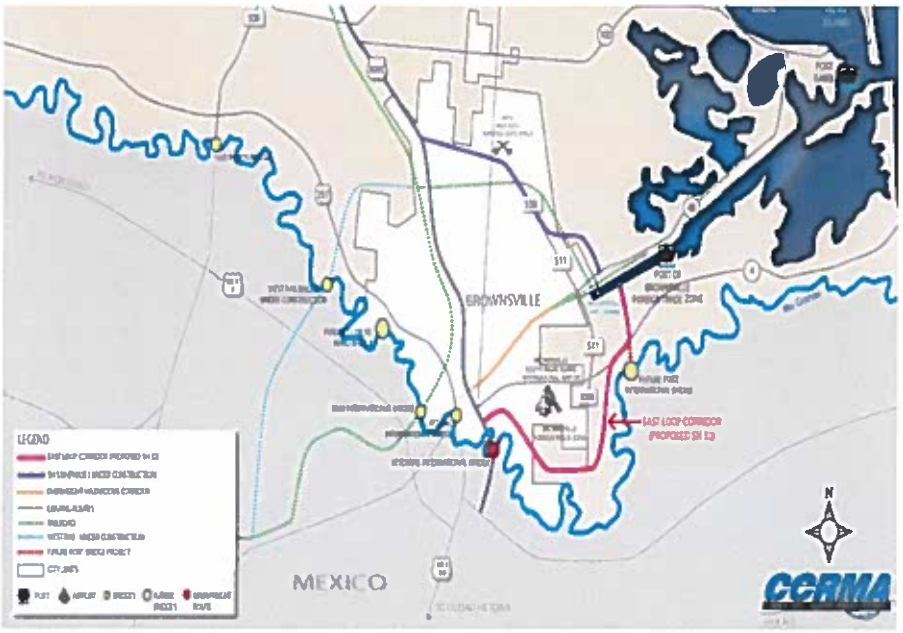


Exhibit 3 – Outer Parkway Proposed Project Corridor Map

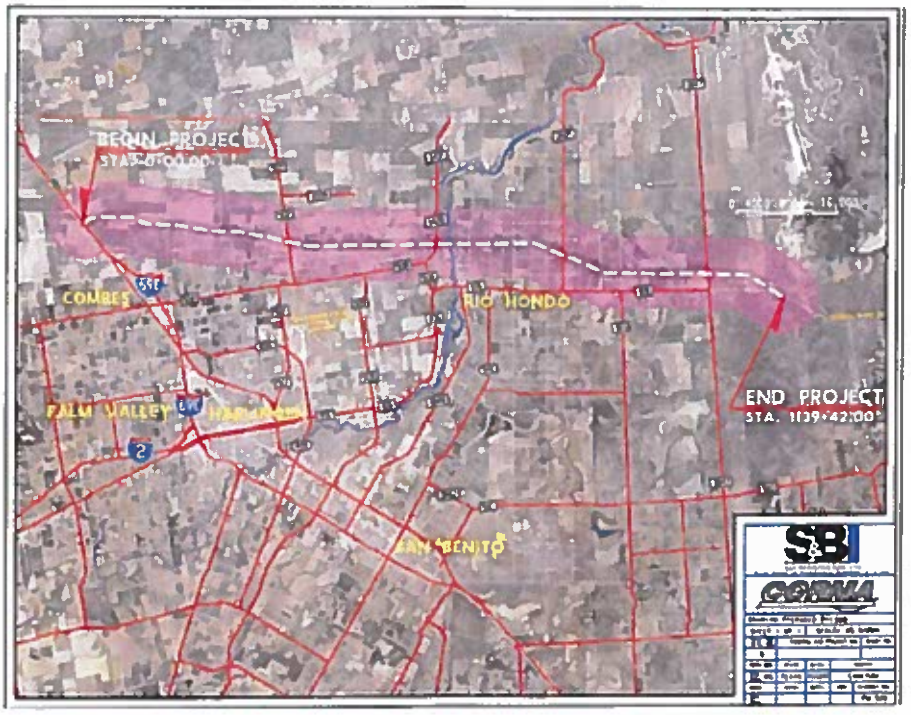


Exhibit 4 – FM 1925 Proposed Project Map

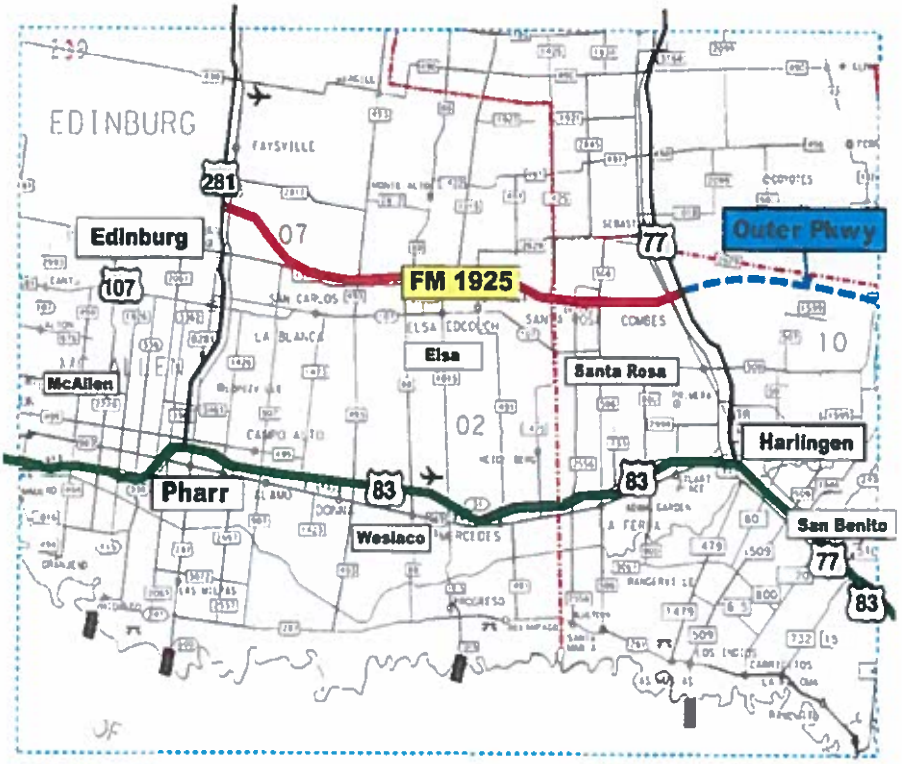


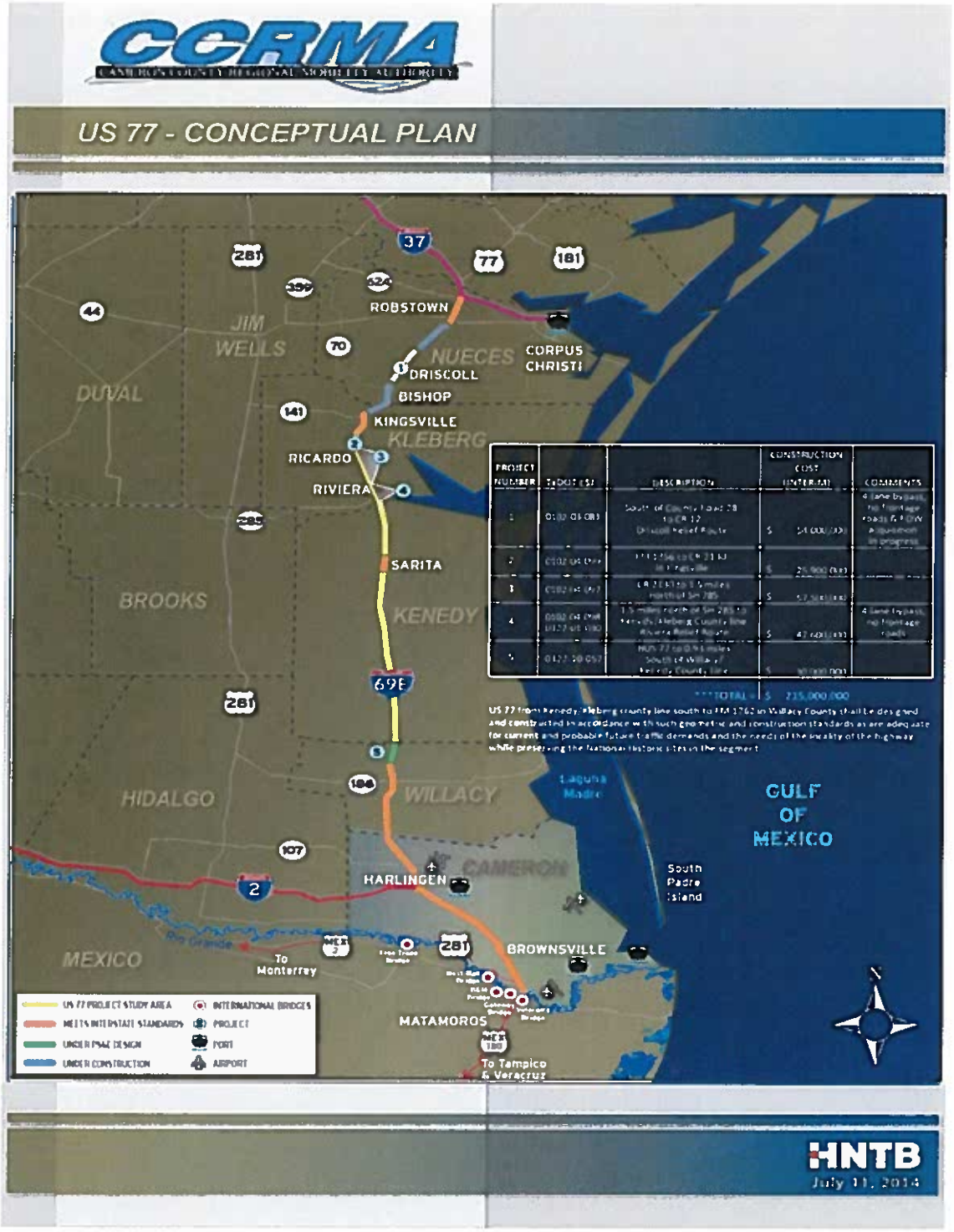
Exhibit 5 – Spur 54 Proposed Project Map

Exhibit 6 – SH550 Gap I Project

Exhibit 7 – West Relocation Project

Exhibit 8 – Olmito Switchyard and RIP Facility

Exhibit 9 – U.S. 77/I-69E



2-G PRESENTATION OF A DRAFT STRATEGIC PLAN FOR 2017-2021

Cameron County Regional Mobility Authority

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MESSAGE FROM THE CHAIRMAN

On behalf of the Board of Directors of the Cameron County Regional Mobility Authority (CCRMA), I am pleased to present to you the 3RD Edition of our Strategic Plan. Since our creation in 2004, the initial Strategic Plan (2007-2011) and the 2nd Edition of the Strategic Plan (2012-2016) has guided our work to find new and innovative tools to reduce the problems of congestion and connectivity while encouraging quality economic development within Cameron County. We have made significant progress under the first two Strategic Plans; much of it you will see in this document, as well as in the completed improvements. These improvements include State Highway (SH) 550, a stretch already signed as I-169 and is the first Toll Road opened in the Rio Grande Valley and South Texas, as well as the West Railroad Relocation Project, the first International Railroad crossing into Mexico in over 100 years. The CCRMA's success is especially evident through our participation on interstate level upgrades to U.S. 77. The CCRMA's efforts will reassure the classification of U.S. 77 be upgraded to an interstate corridor within the next few years.

South Texas continues to be an attractive business and tourist destination and continues to see tremendous growth in population and surge of economic development. The population of the Brownsville-Matamoros and McAllen-Reynosa areas combined is estimated to double between 2010 and 2040 from 3.5 million to 7 million residents. The population for the State of Texas is projected to be 43 million in 2040. As our population continues to grow rapidly, as more jobs are created, and more businesses locate in this area, we will continue to face the growing transportation challenge of how to get people, goods and services to their destinations safely, reliably and timely in an environmentally sensitive manner.

The 3rd Edition of our Strategic Plan represents the next phase of meeting our transportation challenges. We face these challenges by implementing strategies that focus on strategic corridor development which help achieve quality growth within our county and region. This plan will continue to provide the foundation for the direction and continued success of the CCRMA. We have learned from experience and history that Transportation Systems must be sustainable. The CCRMA system is capable of paying for system construction, maintenance and operations over the next 50 years. Please join the CCRMA support team to ensure we implement solutions that remain sustainable to the future with vision for South Texas.

Sincerely,

Frank Parker, Jr.
CCRMA Chairman

EXECUTIVE SUMMARY

The passing of House Bill (HB) 3588 by the Texas Legislature in 2003 brought about major innovative reform in how essential transportation projects can be funded. The traditional methods of financing to develop local transportation systems, particularly the gas tax and local tax base can no longer be relied upon to keep pace with rising transportation costs. The Texas Legislature approved the establishment of Regional Mobility Authorities (RMAs) as an innovative transportation tool to accelerate projects and create new revenue streams for local transportation system projects. The Texas Transportation Commission (TTC) approved the creation of the Cameron County Regional Mobility Authority (CCRMA) on September 30, 2004 to promote and improve regional mobility within Cameron County, South Texas and internationally with the northern Tamaulipas region of Mexico. In 2013 and 2015 the Texas Legislature again carried major reform with new transportation funding later to be known as Proposition 1, and Proposition 7, respectively. This new funding was not a result of increase in taxes, rather a redistribution of oil and gas revenues, sales tax, and rental and vehicle sales tax. Voters overwhelmingly approved both propositions again making a bold statement of the importance and need for transportation improvements in the State.

Cameron County and neighboring Hidalgo County are two of the fastest growing Metropolitan Statistical Area (MSA) in the nation, at around 40% increases per 10-year cycle. Across the border, the metro areas of Mexico are increasing by 80% per 10-year cycle. Cameron County doesn't just have more people in cars; there's a continued increase in the travel of goods. Critical commerce access is provided through the County by means of the Gulf Intracoastal Canal (GICC) connecting the deep-water port in Brownsville, and the ports in Harlingen and Port Isabel. Access also is provided to deep-water ports north and south of the Rio Grande Valley, including Corpus Christi and Tampico, Mexico, respectively. Major freight rail access to Mexico for the Union Pacific Railroad is through Cameron County, and can be expanded through various parts of the Rio Grande Valley for additional rail cargo access. As the need for infrastructure increases, the CCRMA has a responsibility to respond with effective and sustainable solutions.

The CCRMA has embarked on an exciting and ambitious program, focusing on a number of capacity projects and highway network improvements. The adoption of a long-range Strategic Plan in the early stages of formulation of the CCRMA's proposed System was critical to the success of its program. The Plan not only outlines the basic elements of the System, but also serves to focus the efforts of public information and involvement and serves to guide the sequencing, development and implementation of all of the anticipated projects within the region in the future. The new strategic plan for 2017-2021 is compiled in eight major goals. These goals are intended to be broad and flexible with the understanding that Transportation planning is always confronted with new and unforeseen challenges. The CCRMA is poised for these changes and is ready to work with the new Federal Highway Administration as well as any changes resulting from the next two Texas Legislative Sessions.

Cameron County Regional Mobility Authority Strategic Plan

The 2017- 2021 Strategic Plan presents **eight (8) major goals** of the CCRMA, which will provide the critical foundation for addressing the future of transportation needs in Cameron County, South Texas and the northern Tamaulipas regions.

Goal 1:

- Continue accomplishments of the short-term organizational plans and implement long - term organizational plans, by-laws and policies and procedures that promote the CCRMA objectives.

Goal 2:

- Continue the success of the current system projects and develop schedules and budgets that ensure sustainable, timely and cost effective project delivery, with a vision to 2050.

Goal 3:

- Initiate new system projects that support economic development and promote quality of life for citizens of the region well into the future for our next generation.

Goal 4:

- Utilize financing options and plans that leverage funding sources and promote timely project completion.

Goal 5:

- Maintain and enhance working relationships with TxDOT, United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Hidalgo County Regional Mobility Authority (HCRMA), Metropolitan Planning Organizations as well as our neighbors in Mexico.

Goal 6:

- Work closely with all transportation committees (I-69 Committees) and organizations, local businesses and stakeholders throughout each project to ensure open, two - way communication and to promote economic development and create jobs.

Goal 7:

- Utilize technology and innovation to develop and implement toll operational roles and a comprehensive Information Technology (IT) Plan as well as a Back Office System.

Goal 8:

- Avoid or minimize potential impacts to the environment, to the extent possible, through sensitive and proactive consideration of the human and natural environment.

The ultimate goal of the CCRMA is to make significant contributions to a high quality of life by providing our residents and visitors with effective, accelerated mobility to encourage economic growth in South Texas from borders to beaches, at a minimal cost to the taxpayers.

Each of these goals will require an ongoing collaborative effort with all area transportation agencies that will emphasize the importance of an effective public outreach campaign, fiscal responsibility and transparency. This Strategic Plan, covering a five (5) year period, will be updated biannually with input from all area transportation agencies as well as from Federal Transportation agencies in the U.S. and Mexico.

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OUR VISION

The Cameron County Regional Mobility Authority will continue to be recognized as the RMA leader in Texas implementing transportation projects that achieve a sustainable, world-class regional transportation network in South Texas..

OUR MISSION

The Cameron County Regional Mobility Authority will provide transportation that promotes safe and effective mobility, improves the quality of life for area residents, creates quality economic development, jobs and generates revenues to sustain a regional transportation network, internationally.

OUR PURPOSE

The Cameron County Regional Mobility Authority will give Cameron County control to make mobility decisions with the community, to accelerate needed transportation projects, and to enhance economic vitality and the quality of life for the residents of Cameron County and South Texas in a sustainable fashion.

BOARD OF DIRECTORS

The Chairman of the Cameron County Regional Mobility Authority is Frank Parker, Jr., who has a strong background in business and finance. Mr. Parker also has served on the South Texas Manufactures Association, the Brownsville Economic Development Council, the Brownsville, Pharr and McAllen Chambers of Commerce and the National Association of Customs Broker Forwarders Freight Forwarding Committee. In addition to the Chairman, the Authority's Board of Directors includes six (6) other members appointed by the Cameron County Commissioner's Court.

The CCRMA Board of Directors appointed Mr. Ruben Gallegos, Jr., as Vice Chairman. Mr. Gallegos oversees an organization that seeks to empower children and families. Other appointees include; Mr. Mark Esparza who is a local attorney, a real estate broker and business owner; Mr. David Noe Garza who is the owner of Gulf Aviation Company, a supplier of aviation services and is the appointed RMA Secretary; Mr. Michael F. Scaief who is the President of Texas Regional Bank and the appointed RMA Treasurer; and Mr. Horacio Barrera, who is a local attorney.

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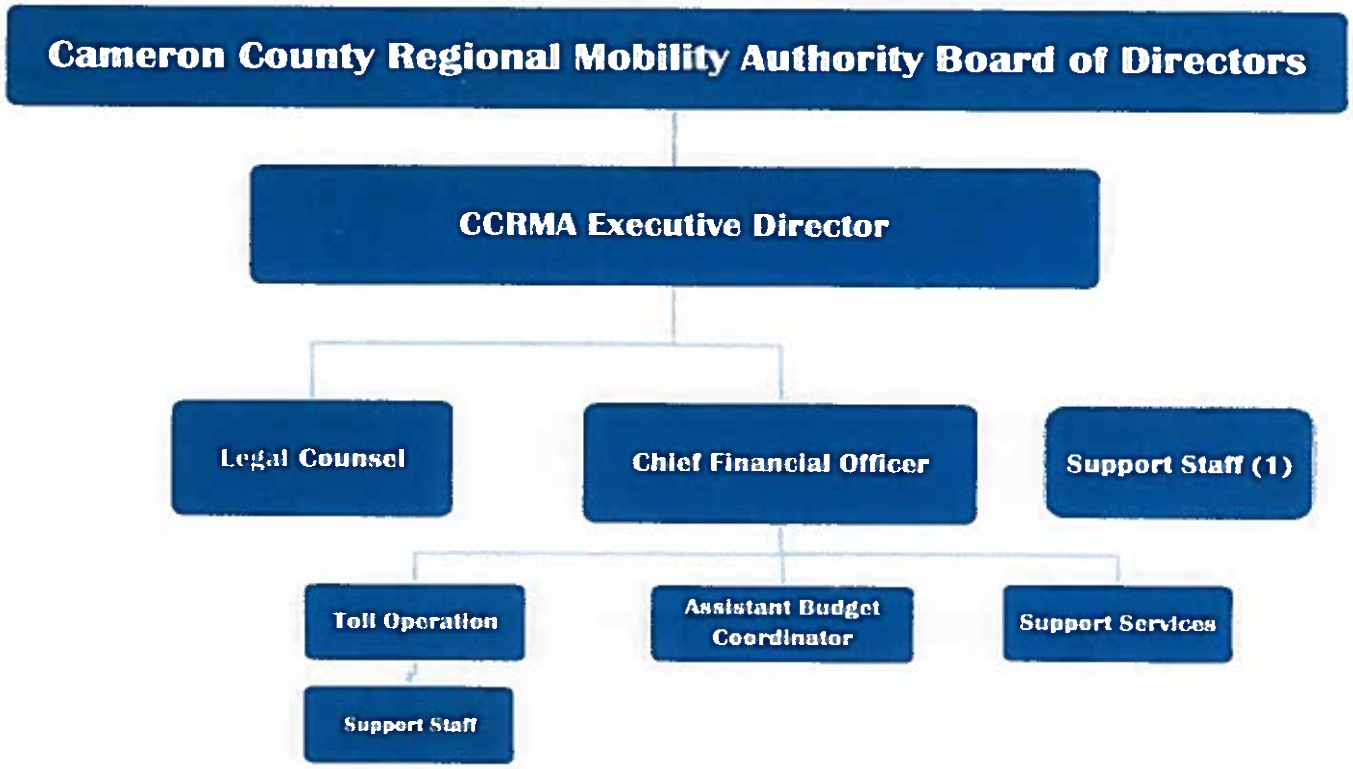
ORGANIZATIONAL CHART



GOAL STRATEGIES

GOAL 1: *Continue accomplishments of the short-term organizational plans and implement long-term organizational plans, by-laws and policies and procedures that promote the CCRMA objectives.*

Continue with Organizational Plan: The ultimate goal of the CCRMA is to transition to a staff-based management operation. The CCRMA has identified key management positions necessary to develop a core staff team. These positions include a full-time Executive Director, a Chief Financial Officer, a Director of Toll Operations, a Business Development Officer, and Executive Administrative Support Services. The core staff team shall be situated in conveniently located autonomous office space.

The Executive Director, who is appointed by the Board, will manage the operations serving as the Chief Executive Officer of the CCRMA. The Board will meet as outlined in the by-laws, on the second Thursday of the month, to discuss and determine policies affecting the operation and maintenance of the CCRMA. The Executive Director will report directly to the Board. The Executive Director will have overall responsibility for the operation and maintenance of CCRMA facilities, as well as serving as the primary point of contact for CCRMA in all dealings with the public and the liaison for all interagency communication and coordination.

The staff of the CCRMA will be organized into functional departments, the managers of which will report to the Executive Director. Certain functions necessary for the operation of the Authority's facilities, including maintenance and law enforcement, initially will be contracted out by the CCRMA. These contracted activities, however, will be managed and closely monitored by CCRMA staff or their consultants. Local law enforcement agencies and State Police will provide law enforcement on the facilities through interagency agreements.

GOAL 2: *Continue the success of the current system projects and develop schedules and budgets that ensure sustainable, timely and cost effective project delivery, with a vision to 2050.*

INTERSTATE 69E/U.S. 77 *(See pg. 24)*

- Work with TxDOT District Offices to identify funds needed to complete improvements ($300 million).
- Work with TxDOT & FHWA on the necessary Design Waivers along the King Ranch.
- Upgrade U.S. 77 Implementation Plan for the remaining projects.
- Work with TxDOT to develop options for Riviera, Driscoll and Ricardo.

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SOUTH PADRE ISLAND SECOND ACCESS *(See pg. 24)*

- Ensure the Completion and Approval of the Final Environmental Impact Statement (EIS). Issuance of Record of Decision.
- Complete a Financial Plan and Coordinate Funding with TxDOT.
- Implement Value Engineering recommendations.
- Complete Mitigation Plan.
- Begin Design/Engineering Phase.
- Begin Right-of-Way Acquisition/Utility Relocation.
- Develop construction bid documents and schedule.
- Begin Construction.

OUTER PARKWAY *(See pg. 25)*

- Complete Corridor Study.
- Complete Alignment Process.
- Coordinate Environmental Process with TxDOT.
- Complete Environmental Permitting Process.
- Begin process of environmental permitting, mitigation development and coordination with state and federal resource agencies.
- Begin Process for Financing/CDA. Procurement Process.
- Begin Construction.

EAST LOOP (SH 32) *(See pg. 25)*

- Complete Environmental Assessment (EA) Process & Receive Finding of No Significant Impact (FONSI).
- Coordinate levee relocation with the International Boundary and Water Commission (IBWC).
- Coordinate fence removal & relocation with Department of Homeland Security (DHS).
- Complete Historical & Biological Studies.
- Coordinate with the United States Fish and Wildlife Service (USFWS) and other state and federal Agencies.
- Begin Process of Right-of-Way Acquisition.
- Work on Plan of Finance.
- Begin Process of Design and Engineering.
- Begin Construction.

STATE HIGHWAY 550 Gaps 1 & 2 *(See pg. 26)*

- Complete construction of two gaps.

FM 803 PROJECT *(See pg. 26)*

- Complete the construction of the realignment of FM 803.

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GENERAL BRANT ROAD *(See pg. 27)*

- Complete construction of General Brant Road.

PORT ISABEL PORT ACCESS ROAD

- Complete Environmental Document.
- Complete Engineering Design.
- Determine Funding/Apply for TxDOT Grant.
- Begin Construction.

FM 509 EXTENSION *(See pg. 27)*

- Complete Environmental Document.
- Complete Engineering Design.
- Complete Right-of-Way Acquisition/Utility Relocation.
- Begin Construction.

FM 1925 PROJECT *(See pg. 28)*

- Coordinate Environmental Process with TxDOT.
- Coordinate Environmental Permitting Process.
- Begin process of environmental permitting, mitigation development and coordination with state and federal resource agencies.
- Coordinate Funding with TxDOT and HCRMA.
- Begin Design and Engineering.
- Begin Right-of-Way Acquisition.
- Begin Construction.

COMMERCE STREET UPRR RAIL RE-ALIGNMENT

- Complete Environmental Document.
- Complete Engineering Design.
- Apply for FASTLANE and FRA Grants.
- Begin Construction.

SPUR 54 PROJECT *(See pg. 28)*

- Complete Environmental Document.
- Complete Engineering Design.
- Begin Construction.

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<u>GOAL 3:</u> *Initiate new system projects that support economic development and promote quality of life for citizens of the region well into the future for our next generation.*

U.S. 281 CONNECTOR PROJECT

- Begin and Complete Environmental Process. .
- Develop a Financial Plan.
- Begin Engineering Design.
- Begin Right-of-Way Acquisition.

COUNTYWIDE TRZ PROJECTS (See Table 3

- Prioritize and Classify Projects
- Determine Level of Coordination required with TxDOT
- Begin Developing Projects Accordingly

BORDER MASTER PLAN

- Continue coordination with Mexico, Cameron County, City of Brownsville (COB), Brownsville Navigation District (BND), City of Matamoros, State of Tamaulipas, Secretaría de Comunicaciones y Transportes (SCT), Secretaría de Relaciones Exteriores (SRE), DOS and TxDOT.
- Complete Updated Master Plan with Mexico.

INTERNATIONAL BORDER CROSSINGS

- Begin Site Assessment and permitting of prioritized future International Crossings.
- Collaborate with Port of Brownsville officials as necessary to facilitate needs of the Port on the Future Port Bridge Project.

NORTH RAIL RELOCATION PROJECT

- Complete Environmental Process for the preferred alignment.

PROJECTS TO HIDALGO COUNTY

- Identify projects that would promote a healthy regional transportation network for the future. (South and North)

ELECTRONIC TOLL COLLECTION (ETC) AT INTERNATIONAL BRIDGES

- Identify needed system improvements to incorporate ETC.
- Preparation for International Bridge ETC interoperability requirements with State tolling entities.
- Install and operate identified ETC system.

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LEGISLATIVE AGENDA – FEDERAL/STATE

- Develop agenda for Legislative Sessions.
- Visit delegation and provide reports.

FLOR DE MAYO BRIDGE

- Execute agreement with Cameron County to manage and develop project.
- Complete Feasibility Study.
- Work on General Service Administration (GSA) Funding.
- Work with Mexico on coordination of project.
- Coordinate with the U.S. Department of State the Presidential Permit Application Process.

COMMUNICATIONS AND OPERATIONS

- Implement strong operations to promote efficient toll collections.
- Create Business Development Plans to effectively promote SH 550 and future toll roads with target audience.
- Develop strong Media and Community Relations involvement on a routine basis.
- Develop Effective Communication Platforms to keep all stakeholders and public informed with CCRMA Operations and Project Developments.

ELIMINATION OF RAIL LINE BETWEEN OLMITO AND HARLINGEN

- Work with Union Pacific on Project Approval.
- Update Existing Study.
- Identify Funding Options.

GOAL 4: *Utilize financing options and plans that leverage funding sources and promote timely project completion.*

- Expedite current projects to complete the CDA process, which are approved under current legislation. These projects include the South Padre Island 2nd Access and the Outer Parkway.
- Continue to reassure/encourage legislative agenda to allow expanded use of CDAs and other financing options.
- Coordinate with TxDOT and identify state funding sources.
- Identify federal funds for CCRMA projects.

Possible Funding Sources:

Aviation Funding – TxDOT budgeted source of approximately $60 million in funding for planning, constructing and maintaining community airports. Allowed for infrastructure projects, which improve access to/from airports.

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Bond Proceeds – The money paid to the issuer by the purchaser for a new issue of bonds, used to finance a project or purpose for which the bonds were issued and to pay certain costs of issuance. This is equal to the par amount of bonds, plus accrued interest, less original issue discount plus premium.

Comprehensive Development Agreement (CDA) – An agreement with a private entity providing for the design and construction of a transportation project which may also provide for the financing, acquisition, maintenance or operation of a transportation project.

Coordinated Border Infrastructure Funds (CBI) – USDOT program that provides funding for planning, project development, construction and operation of projects that serve border regions near Mexico and Canada and high priority corridors throughout the United States.

Federal Funds (General/FRA) – Numerous potential Federal Government funding programs including USDOT and the Federal Railroad Administration (FRA), a division of the USDOT.

General Services Administration (GSA) – The GSA is an independent agency of the United States government, established in 1949 to help manage and support the basic functioning of federal agencies. The GSA supplies products and communications for U.S. government offices, provides transportation and office space to federal employees, and develops government-wide cost-minimizing policies, and other management tasks.

Local Funds – The CCRMA has the legislative authority to enter into cooperative agreements with cities and counties giving the partnering agencies the opportunity to team up on funding transportation projects by bringing together their mutual funding mechanisms.

National Infrastructure Bank – Federal Bank created by legislature intended to complement existing federal programs to fund infrastructure, such as the Highway Trust Fund or State Revolving Funds. It invests primarily in surface transport infrastructure.

Overweight Corridor Permit Fees – Established in the late 1990s to accommodate Mexican trucks heavier than the weight limits imposed by the U.S. Department of Transportation. The corridor allows cargo trucks roughly 1.5 times heavier than the U.S. limit to operate between the Port and Mexico. On December of 2011, the Texas Transportation Commission gave the Port of Brownsville expanded use of the fee structure and the roadways in which it is enforced.

Pass Through Funding – Projects financed and constructed by the CCRMA receive funding from TxDOT to recuperate a portion of the project construction costs.

FASTLANE Funding – The FASTLANE Program is a new program in the Fixing America's Surface Transportation (FAST) Act to fund critical freight and highway projects across the country. The FAST Act authorizes $800 million in funding for the FASTLANE Program for fiscal year 2016, with 25 percent reserved for rural projects, and 10 percent for smaller projects.

The FASTLANE Grant Program – Provides funding for projects of national or regional significance. FASTLANE Grants provide dedicated funding for projects that address major issues facing our nation's highways and bridges. For the first time in the U.S. Department of Transportation's 50-year history, the program establishes broad, multiyear eligibilities for freight infrastructure, including intermodal projects.

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Proposition 1 Funding – On November 4, 2014, Texas voters approved the ballot measure known as Prop 1, authorizing a constitutional amendment for transportation funding. Under the amendment, half of the money that would normally go to the state Economic Stabilization Fund (aka the Rainy Day Fund) will be redirected to the State Highway Fund. Without creating any new taxes or fees, the amendment simply changed where a portion of existing oil and gas tax revenues will be deposited. The constitutional amendment proposed by SJR (Senate Joint Resolution) 1 (Third Called Session, 83rd Legislature), which legislators approved on August 5, 2013. Prop 1 passed with the approval of nearly 80% of Texas voters.

Proposition 7 Funding – The amendment authorized $1.7 billion to be deposited into the State Highway Fund in the first year for much-needed transportation projects. According to TxDOT, Texas' estimated unmet annual transportation needs are $5 billion: $1 billion for recurring maintenance, $3 billion for mobility, and $1 billion for repairs related to increased energy sector activity. The amendment marks a significant first step toward providing the unmet funding needs for transportation projects in Texas.

Proposition 14 Funding – This Texas Transportation Commission approved funding source, established in 2008, allowed TxDOT to issue revenue bonds backed by the State Highway Fund. The funds are intended to advance the construction of projects previously delayed due to cash flow/funding limitations, projects or of statewide significance, such as hurricane evacuation routes or projects that address congestion problems in regions of the state that have lagged behind other regions in previous funding cycles.

SH 550 Toll Revenues – Revenues generated from tolls by users utilizing the Toll system.

State Infrastructure Bank Loan (SIB Loan) - Revolving Infrastructure Investment Funds for Surface Transportation that are established and administered by states. The SIB can offer a range of loans and credit assistance enhancement products to public and private sponsors of Title 23 Highway Construction Projects or Title 49 Transit Capital Projects.

Toll Equity Funds – TxDOT loan contribution to project costs on Toll Roads.

Transportation Infrastructure Finance and Innovation Act (TIFIA) – Provides federal credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to finance surface transportation projects of national and regional significance.

Transportation Investment Generating Economic Recovery Funding (TIGER) – USDOT Grant Program was established in 2009 to assist transportation projects that have a significant national or regional impact. Projects are chosen for their ability to contribute to the long-term economic competitiveness of the nation, improve the condition of existing transportation facilities and systems, increase energy efficiency and reducing greenhouse gas emissions, improve the safety of U.S. transportation facilities and enhance the quality of living and working environments of communities through increased transportation choices and connections. The Department also gives priority to projects that are expected to create and preserve jobs quickly and stimulate increases in economic activity.

Countywide Transportation Reinvestment Zone (TRZ) – Cities and counties have the legislative authority of designating areas as TRZs to fund roadway projects. As property taxes increase from the base property value, a portion of the increased tax dollars can be pledged to construct road projects within the TRZ. Cameron County and the CCRMA passed historic legislation locally in 2015 with the creation of Cameron Countywide TRZ #6. Included in TRZ #6 is over 50 eligible projects throughout Cameron County that can receive funding for future development.
TxDOT Backstop – CCRMA enters into a bond sale and TxDOT pledges future TxDOT revenues to support (backstop) bonds and ensure payment should tolls fail to support debt service.

TxDOT Discretionary – Involves various funding categories, which have not been appropriated under previous legislation or Texas Transportation Commission approval. Discretionary funding can often be obtained through Commission approval for a specific project.

Vehicle Registration Fees (VRF) – HB 3437, which was signed into law during the 80th State Legislative Session, authorizes certain counties to impose Vehicle Registration Fees up to $10 to address county mobility needs.

Additional funding and procurement procedures:

- **43 Texas Administrative Code (TAC) Section 15** – A Preliminary Financial Plan for each project will be developed with the Financial Consultant, indicating sources of funding, necessary construction costs, scheduling and traffic information of the viable alternatives for each of the proposed projects.
- **Procurement Project Delivery Options** – The CCRMA will evaluate various project delivery alternatives and determine the most appropriate method of project implementation, whether by conventional design and construction, a privatized exclusive development agreement or other project delivery system. Alternatives for splitting of the projects into multiple construction projects will be considered to develop the system in phases, if determined appropriate. The basis for the construction phasing will be to create efficient projects to build as toll facilities that are financially viable and minimize impacts on existing traffic. Funding consideration will be given to local and regional non-tolled projects that generate advantages to System Toll projects.
- **Project Phasing** – The CCRMA will determine the most advantageous means of packaging projects in a manner that accelerates project completion and facilitates financing alternatives.

GOAL 5: *Maintain and enhance working relationships with TxDOT, USDOT, FHWA, HCRMA and Mexico Partners.*

- Continue partnership with TxDOT to ensure the conversion of U.S. 77 to Interstate Standards.
- Ensure that Legislative Agenda is approved by Legislature.
- Continue partnership with the Hidalgo County Regional Mobility Authority that promotes the development of regional transportation systems.
- Continue with Legislative Agenda to identify additional funding sources.

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GOAL 6: *Work closely with all transportation committees (I-69 committees) and organizations, local businesses and stakeholders throughout each project to ensure open, two-way communication and to promote economic development and create jobs.*

- Participate in the monthly Technical and Policy Advisory Committee meetings of the Brownsville MPO and the Harlingen San Benito MPO.
- Establish Board representatives as liaisons to Local Government Agencies.
- Monitor Cameron County job growth annually.

GOAL 7: *Utilize technology and innovation to develop and implement toll operational roles and a comprehensive information technology (IT) plan as well as a back office system.*

- CCRMA will employ innovation and high quality technological solutions to develop and implement toll operational roles.
- CCRMA will develop a comprehensive Information Technology (IT) Plan, which will enable CCRMA to provide reliable and innovative solutions to mobility, issues throughout the region.
- CCRMA will facilitate travel of toll tag users while increasing user market by making the Toll Road electronic toll system interoperable with the electronic toll system on all County and area International bridges.

GOAL 8: *Avoid or minimize potential impacts to the environment, to the extent possible, through sensitive and proactive consideration of the human and natural environment.*

- **Establish Proactive Environmental Policy:** CCRMA in 2011 adopted policies to ensure the environmental effects of its actions are considered at all levels of the organization and during all aspects of project development, delivery, and implementation.
- **Develop Optimal Solutions:** CCRMA will work to develop optimal solutions that will be functional, efficient and effective for years to come—balancing the protection of our natural resources and regulatory requirements with innovative, reliable and cost - effective solutions that facilitate community and industrial growth.
- **Utilize Innovation and Technology:** CCRMA will take a comprehensive approach to utilization of innovation and technology to achieve environmental excellence.
- **Coordinate with Community Stakeholders:** CCRMA will identify and coordinate with key community stakeholders to obtain invaluable input and direction on the preservation of environmental, scenic, cultural, aesthetic, and historic resources while achieving safety and mobility. Recently Cameron County began a Green Infrastructure Vision Plan to promote environmentally responsible and sustainable development. The CCRMA is an active participant in this plan that will be finalized in the first quarter of 2017.
- **Ensure Environmental Compliance:** CCRMA will plan, design, construct, operate, and maintain CCRMA projects strictly in accordance with local, state and federal environmental policies.

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THE IMPORTANCE OF TRANSPORTATION PARTNERSHIPS

The ultimate success of the CCRMA system requires strong partnerships. These partnerships include all local governmental agencies in Cameron County along with other South Texas communities and agencies and Federal officials in the U.S. and Mexico. Additionally, pertinent communication with various Mexican government representatives, such as the Secretary of Communications and Transportation of Mexico, the State of Tamaulipas and the City of Matamoros will be necessary to ensure effective coordination of CCRMA projects and existing and proposed Mexico Transportation Infrastructure. As the system moves from concept to reality, each agency must be prepared to accept various roles and responsibilities.

Understanding the importance of regional partnerships, TxDOT provided funding for startup projects and continues to work with the CCRMA on numerous projects on the System Map. The respective MPO's are including the proposed system in the region's long range transportation plans so that state and federal funding will be available. As the tolled lane system becomes operational and a revenue stream is established, the CCRMA will become a locally controlled, self-sustaining organization with its own project development, construction, operations and maintenance capabilities.

THE IMPORTANCE OF JOB CREATION

The CCRMA has committed to aggressively promoting the economy of Cameron County by building the necessary infrastructure that will support the region's growth and economic development. Critical to today's economy is the ability to positively influence job creation and support existing employment in Cameron County. The FHWA estimates that approximately 30,000 direct, indirect and induced jobs are supported for every $1 Billion that is invested in Transportation Infrastructure. Construction-oriented jobs are directly and indirectly supported by the opportunity offered to local construction firms working on CCRMA projects and those firms providing supplies and support to those construction firms.

Additionally, creation and support of these jobs promote economic benefit to jobs dependent of consumer expenditures from the wages of workers. Using these assumptions, the CCRMA program of $2 Billion is expected to support over 50,000 direct, indirect and induced jobs. Adding to the benefits of CCRMA's investment in our transportation infrastructure are improvements to quality development to the region and to the quality of life of our labor force.

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ACKNOWLEDGEMENTS

The Board's vision is to provide and lay the proper infrastructure for the next 30 years. In 2040, our success will be measured by our next generation on how we have prepared and developed our transportation infrastructure. We must make hard decisions now to meet the demands of our aggressive growth and economic vitality. Making the right decisions now ensures the right progress for years to come.

The 2017–2021 Cameron County Regional Mobility Authority (CCRMA) Strategic Plan is prepared under direction of the CCRMA Board of Directors and CCRMA Staff; and it has been adopted by the CCRMA Board of Directors.

The following Cameron County Regional Mobility Authority Board Members and Staff representatives assisted in the development of the CCRMA Strategic Plan:

- Frank Parker, Jr. - CCRMA Chairman
- Ruben Gallegos, Jr.– CCRMA Vice Chairman
- David N. Garza– CCRMA Secretary
- Michael F. Scaief – CCRMA Treasurer
- Mark Esparza - CCRMA Board Member
- Nat Lopez – CCRMA Board Member
- Horacio Barrera – CCRMA Board Member
- Pete Sepulveda, Jr. – CCRMA Executive Director
- Jesus Adrian Rincones – CCRMA Chief Financial Officer

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APPENDIX

LIST OF TABLES

Table 1: CCRMA Project Development List

CCRMA Project Development List				November 2016
Project Name	Project Limits	Project Costs	Complete/ Under Const.	Status
PROJECTS COMPLETED				
169E Sarita Overpass	Sarita School Area	$ 12 Million	$ 12.0 Million	Construction Complete
Olmito Switchyard Phase I	North Brownsville/Olmito	$ 22 Million	$ 17.0 Million	Construction Complete
Port Access Road	SH 48/SH 550 to Capt. Donald Foust Road	$ 3 Million	$ 3.0 Million	Construction Complete
Veterans International Bridge Expansion	Over Rio Grande River at 169E	$ 6 Million	$ 6.0 Million	Construction Complete
Olmito Switchyard Phase II	North Brownsville/Olmito	$ 3.6 Million	$ 3.6 Million	Construction Complete
CE Spur 56 Willacy County	FM 1018 to FM 3168	$ 28 Million	$ 28.0 Million	Construction Complete
West Railroad Relocation	169E and Olmito Switchyard into Mexico	$ 45 Million	$ 45.0 Million	Construction Complete
TOLL ROADS OPEN				
SH 550 Phase I	Overpass at UPRR and FM 1847	$ 7 Million	$ 7.0 Million	Phase I Toll Road Open
SH 550 North Port Spur	FM 3248 to SH 48/New Port Entrance	$ 34 Million	$ 34.0 Million	Phase 2 Toll Road Open
SH 550 Direct Connectors	169E to SH 48	$ 44 Million	$ 44.0 Million	Phase 3 Toll Road Open
UNDER CONSTRUCTION				
FM 803	169E to SH 100	$ 6 Million		75% Complete
General Brant Road	FM 1847 to FM 510	$ 15 Million		40% Complete
ENVIRONMENTALLY CLEARED				
169E	Brownsville to Corpus Christi	$ 460 Million	$ 215.0 Million	$215 Million to Complete - EA Cleared
SH 550 Segment 1	East of Old Alice Road to West of FM 1847	$ 6 Million		Bidding Phase
SH 550 Segment 2	East of FM 1847 to FM 3248	$ 15 Million		Bidding Phase
ENVIRONMENTAL STUDIES				
SH 32 East Loop	Port of Brownsville to Veterans Bridge	$ 90 Million		EA Clearance January 2019
South Padre Island 2nd Access	Mainland over Laguna Madre to Park Road 100	$ 465 Million		FEIS Submitted on December 26, 2014
Outer Parkway	169E near N. County Line to FM 1847	$ 180 Million		EA Process in Progress
FM 1925	169E to FM 491 (Hidalgo County)	$ 120 Million		EA Process in Progress
West Parkway	169E to B&M Bridge	$ 160 Million		EA Process in Progress
North Cameron County Switchyard	North of Harlingen near 169E	$ 25 Million		Pending CE Preparation
North Railroad Relocation	North Cameron County to SH 106	$ 80 Million		Preliminary Study Complete
FM 509 Extension	Outer Parkway to Current Section of FM 509	$ 7 Million		EA Process in Progress
CORRIDOR STUDIES				
Port Isabel Access Road	SH 48 to Port of Port Isabel	$ 8 Million		EA Phase
281 Connector	County Line to FM 1577 to 169E & SH 100	$ 140 Million		Planning Phase
Port International Bridge Project	Port of Brownsville/East Loop into Mexico	$ 50 Million		Planning Phase with Mexico
TOTAL:		$ 2 Billion	$ 415.0 Million	

Table 2: Funding Sources for CCRMA Projects

FUNDING SOURCES	
Toll Equity Funding (SPI 2nd Access and Outer Parkway)	$ 21.6 Million
SH 550 Project	$ 48.7 Million
SH 550 Direct Connectors	$ 33.3 Million
SH 550 Gap 1	$ 6.0 Million
SH 550 Gap 2	$ 14.0 Million
Veterans International Bridge Expansion	$ 6.0 Million
West Rail Relocation Project	$ 48.0 Million
Olmito Switchyard	$ 22.0 Million
East Loop Corridor	$ 40.0 Million
U.S. 77 Project	$ 40.0 Million
FM 509 Project	$ 1.5 Million
FM 803 Project	$ 10.5 Million
General Brant Road	$ 15.0 Million
Veterans International Bridge Expansion (Including Mexico)	$ 65.5 Million
West Rail Relocation Project (Including Mexico)	$ 120.0 Million
TOTAL:	$ 492.1 Million
TRZ Expected Net Present Value (NPV)	$ 350.0 Million

Table 3: Countywide TRZ Eligible Projects

County Wide Transportation Reinvestment Zone #6 Projects

	Project Area	Project		Project Area	Project
1	BROWNSVILLE	Flor de Mayo	26	HARLINGEN	FM 507 – Loop 499 to FM 508
2	BROWNSVILLE	US 281 Connector – I69 E to US 281	27	HARLINGEN	Grimes Road – FM 106 to SH 345 (to SPI 2nd Access)
3	BROWNSVILLE	SH32 East Loop	28	HARLINGEN	FM 1479 – I69E to US 281
4	BROWNSVILLE	SH 550 DC to Brownsville	29	HARLINGEN	Overpass at 281 and Free Trade Bridge
5	BROWNSVILLE	West Parkway – I69E to B&M Bridge	30	LA FERIA	FM 506 – I2 to SH 107
6	BROWNSVILLE	SH 550 (2 Gaps) – I69E to FM 3248	31	LA FERIA	FM 506 – I2 to US 281
7	BROWNSVILLE	West Rail Relocation	32	LOS FRESNOS	Cameron County Airport
8	BROWNSVILLE	Brownsville/South Padre Island Airport	33	LOS FRESNOS	Old Alice Road – SH 550 to SH 100
9	BROWNSVILLE	FM 511 – SH 4 to SH 48	34	LOS FRESNOS	FM 1847 – FM 510 to Arroyo City
10	BROWNSVILLE	Old Port Isabel Road – SH 550 to SH 100	35	LOS FRESNOS	Whipple Road - HWY 100 to FM 1847
11	BROWNSVILLE	FM 1732 – I69E to US 281	36	LOS FRESNOS	Henderson Road - FM 803 to 1/2 mile East FM 1847
12	BROWNSVILLE	Dockberry Road	37	OLMITO	UPRR Rail Line
13	BROWNSVILLE	B&M Bridge	38	OLMITO	Naranjo Road - I69E to Old Alice Rd
14	BROWNSVILLE	FM 1421 – I69E to US 281	39	PORT ISABEL	Port Isabel/SB ND Road
15	BROWNSVILLE	Overpass at I69E and Veteran Bridge	40	PORT ISABEL	HWY 48 I69E - SH100
16	BROWNSVILLE	Deepening of BND Port Channel	41	SAN BENITO	US 281 – FM 1577 to County Line
17	BROWNSVILLE	Port Road – SH 4 to Port	42	SAN BENITO	FM 1577 – I69E to US 281
18	BROWNSVILLE	Florida Road - FM 511 to FM 1419	43	SAN BENITO	FM 510 – FM 509 to Buena Vista Road
19	HARLINGEN	FM 1925 – I69E to FM 491	44	SAN BENITO	SH 345 – I69E to US 281
20	HARLINGEN	Outer Parkway	45	SAN BENITO	US 77 South Parallel Corridor
21	HARLINGEN	FM 509 Extension – FM 106 to FM 1579	46	SAN BENITO	SH 345 – I69E to US 281
22	HARLINGEN	Rail/Commerce Street	47	SAN BENITO	San Jose Ranch Road – SH 345 to FM 509
23	HARLINGEN	Valley International Airport	48	SANTA ROSA	SH 107 – County Line to I69E
24	HARLINGEN	FM 509 – I69E to US 281	49	SOUTH PADRE	SPI 2nd Access
25	HARLINGEN	FM 509 – I69E to FM 106	50	SOUTH PADRE	SH 100 Improvements at SPI
			51	SOUTH PADRE	SPI Queen Isabella Memorial Causeway Bike Lane

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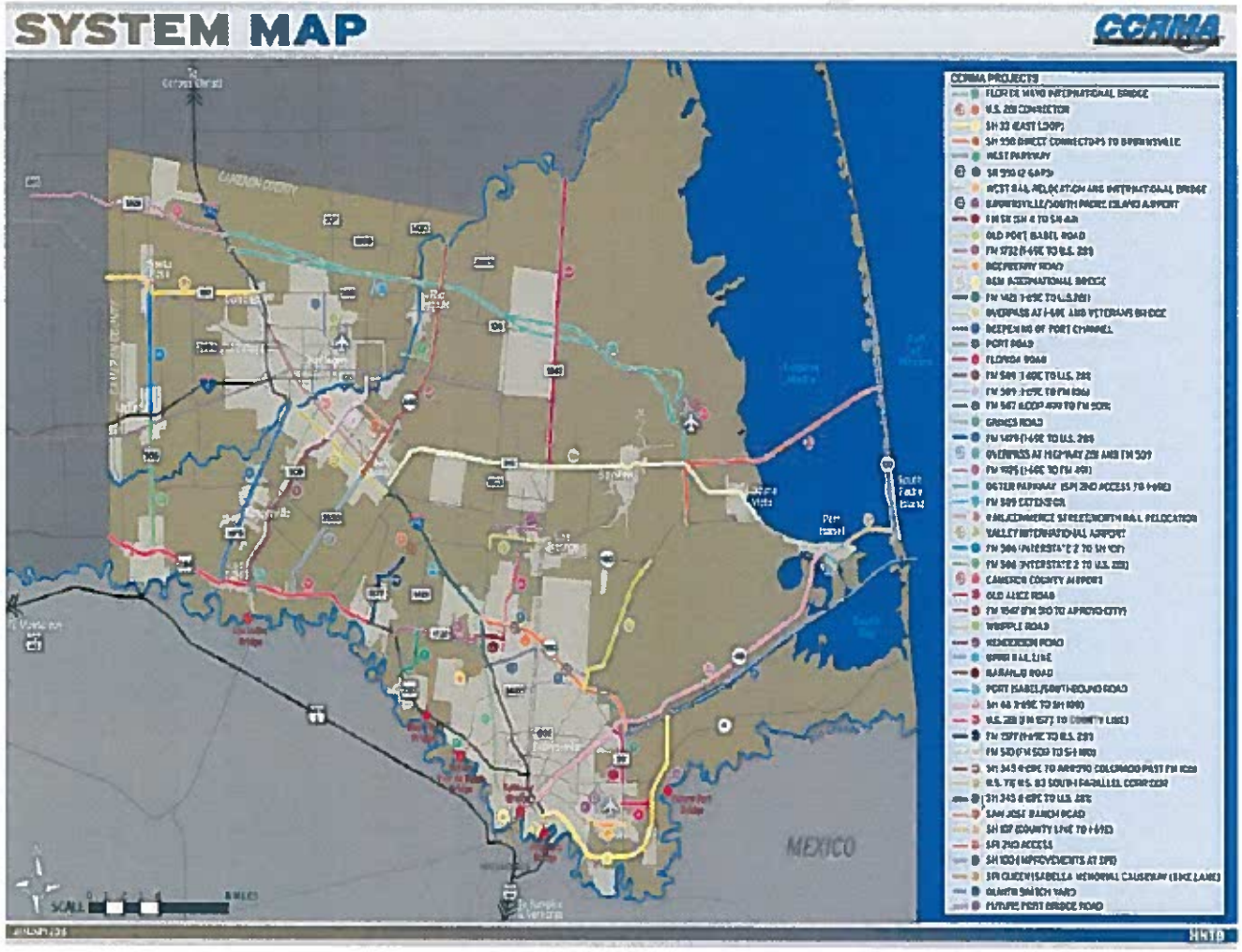
Table 4: Frequently Used Acronyms

BND	Brownsville Navigation District	**NPV**	Net Present Value
CBI	Coordinated Border Infrastructure	**RFQ**	Request For Qualifications
CCRMA	Cameron County Regional Mobility Authority	**RIP**	Repair-In-Place
CDA	Comprehensive Development Agreement	**RMA**	Regional Mobility Authority
CE	Categorical Exclusion – Environmental Process	**SCT**	Secretaría de Comunicaciones Y Transportes
COB	City of Brownsville	**SH**	State Highway Designation
DHS	Department of Homeland Security	**SIB**	State Infrastructure Bank
DOS	U.S. Department of State	**SRE**	Secretaría de Relaciones Exteriores
EA	Environmental Assessment Process	**TAC**	Texas Administrative Code
EIS	Environmental Impact Statement	**TIFIA**	Transportation Infrastructure Finance and Innovation Act
ETC	Electronic Toll Collection	**TIGER**	Transportation Investment Generating Economic Recovery Fund
FHWA	Federal Highway Administration	**TRZ**	Transportation Reinvestment Zone
FM	Farm to Market Road Designation	**TTA**	Texas Turnpike Authority
FONSI	Finding of No Significant Impact	**TTC**	Texas Transportation Commission
FRA	Federal Railroad Administration	**TxDOT**	Texas Department of Transportation
GSA	Government Services Administration	**U.S.**	Federal (U.S.) Highway Designation
HB	House Bill	**UPRR**	Union Pacific Railroad
HCRMA	Hidalgo County Regional Mobility Authority	**USACE**	United States Army Corps of Engineers
IBWC	International Boundary and Water Commission	**USDOT**	United States Department of Transportation
IT	Information Technology	**USFWS**	United States Fish and Wildlife Services
MPO	Metropolitan Planning Organization	**VRF**	Vehicle Registration Fees

MAPS

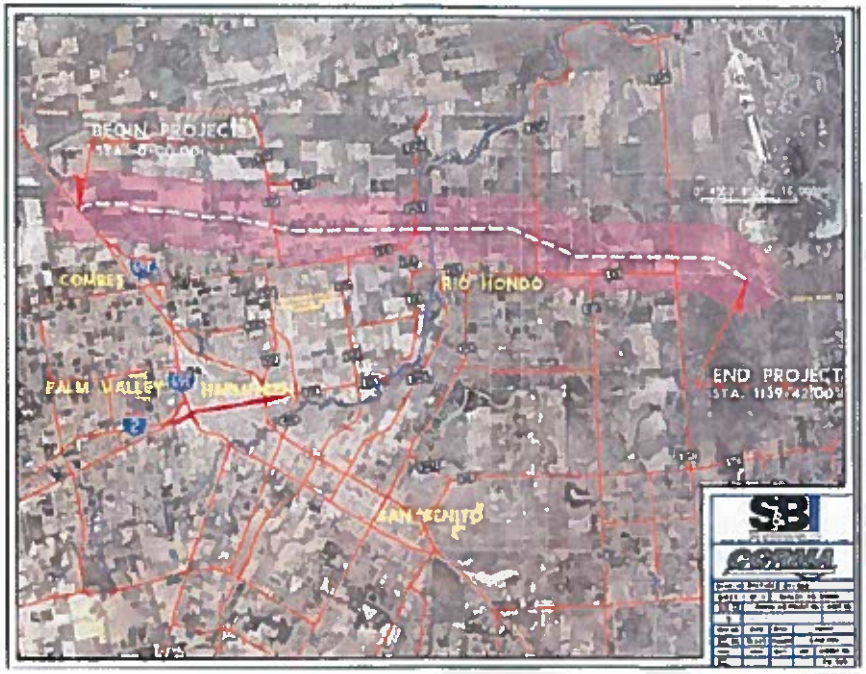
Map 1: System Map



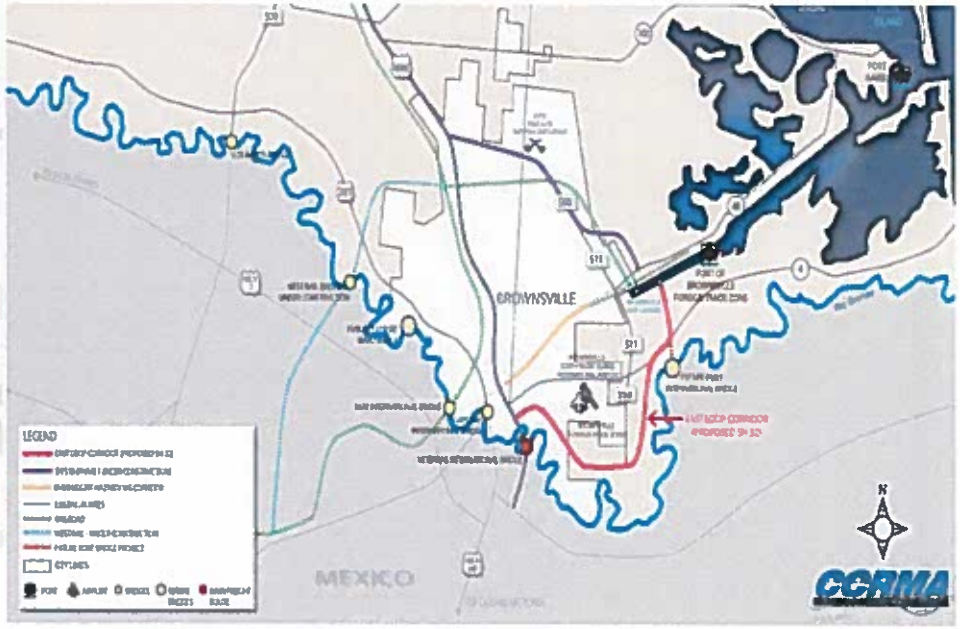
Map 2: I-69E/ U.S. 77

Map 3: SPI 2nd Access Project Location

Map 4: Outer Parkway Project Location

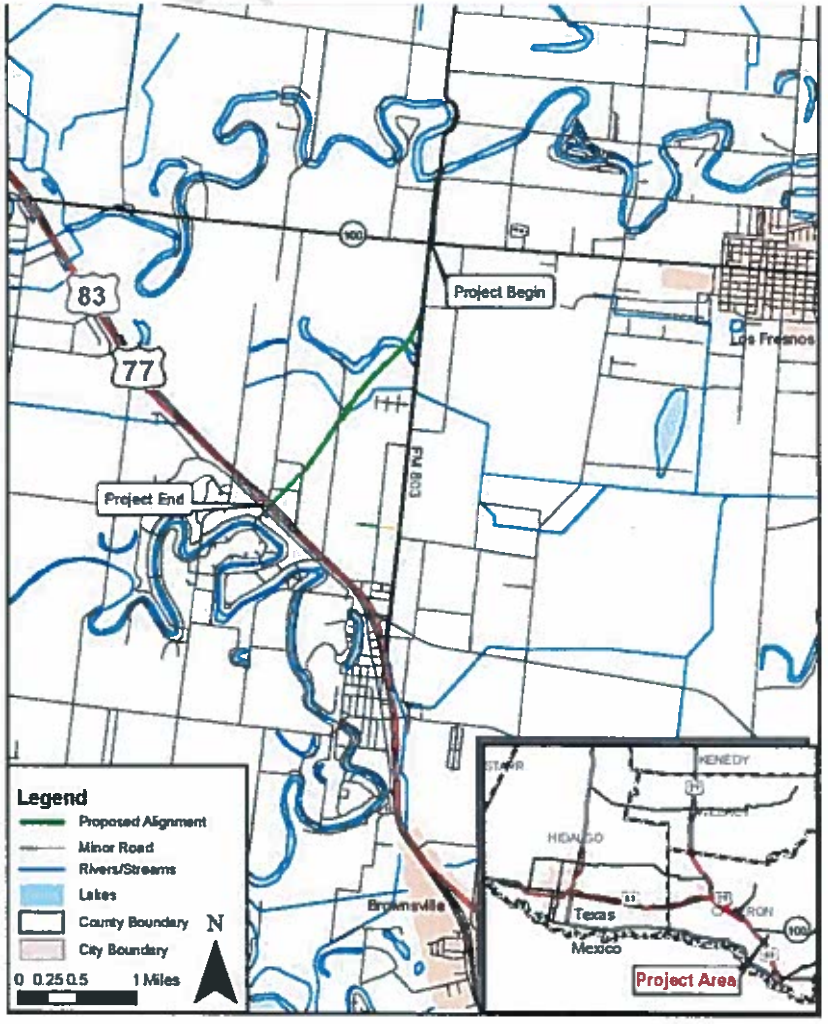


Map 5: SH32 East Loop Project Location

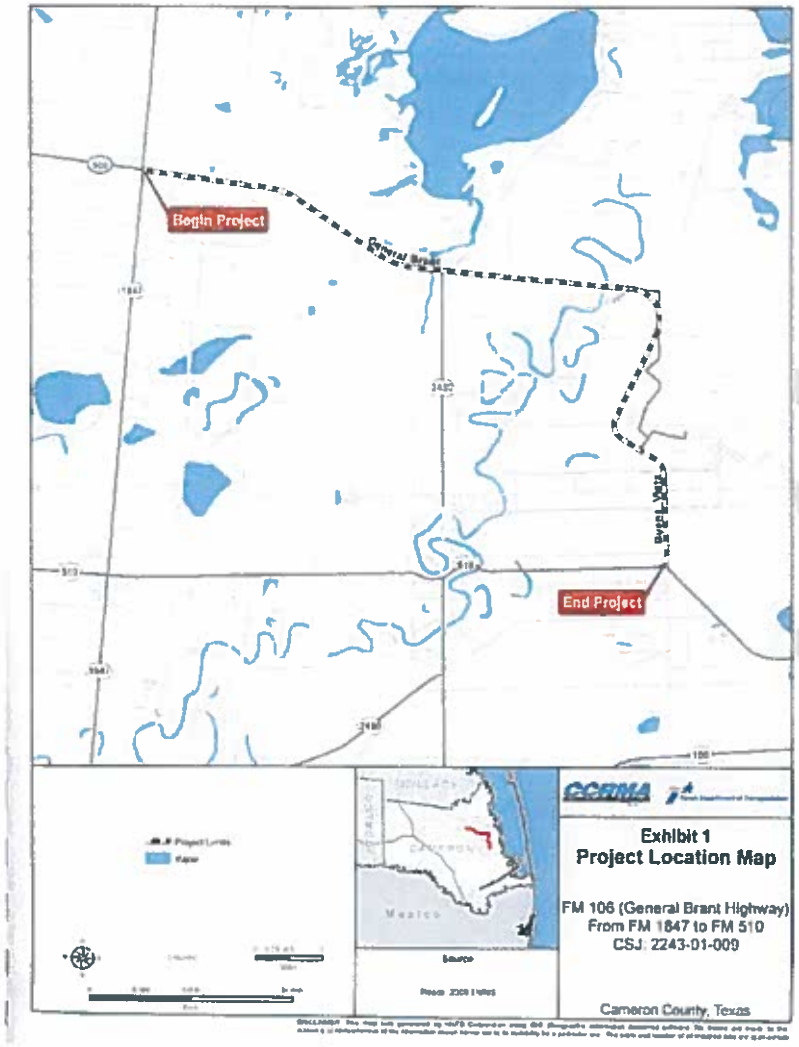


Map 6: SH550 Gap I Project Location

Map 7: FM 803 Project

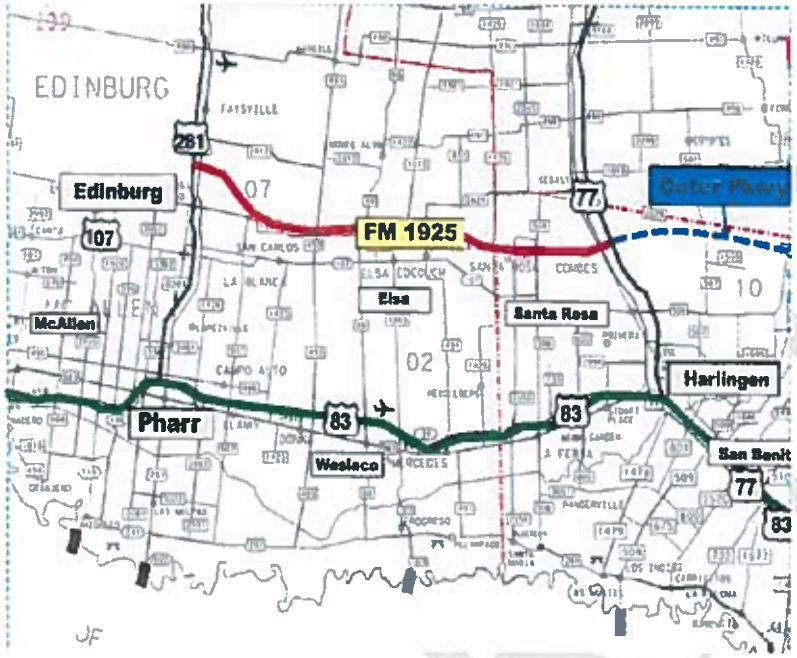


Map 8: General Brant Road

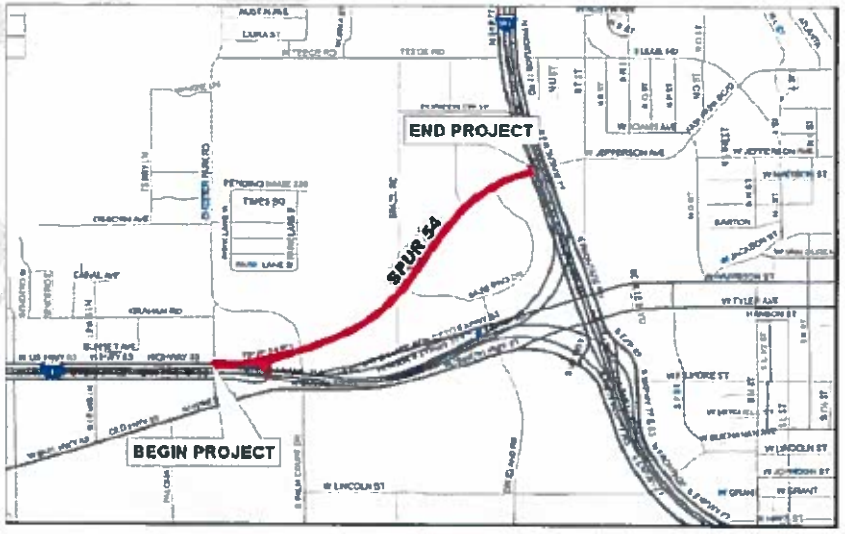


Map 9: FM 509 Extension

Map 10: FM 1925 Project



Map 11: Spur 54 Project Location



4-A APPROVAL OF CLAIMS

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

MEMORANDUM

TO: Chairman and Board Members

FROM: Adrian Rincones, Chief Financial Officer

Digitally signed by Jesus A Rincones
DN: cn=Jesus A Rincones, o=CCRMA, ou, email=arincones@ccrma.org, c=US
Date: 2017.01.09 11:08:22 -06'00'

RE: Claims

DATE: January 12, 2016

Attached are the claims paid on December 16, December 29, 2016, and January 5, 2017, for Administrative and Toll Operations that are being presented for the Board's acknowledgement.

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Claims Acknowledgement - Administrative

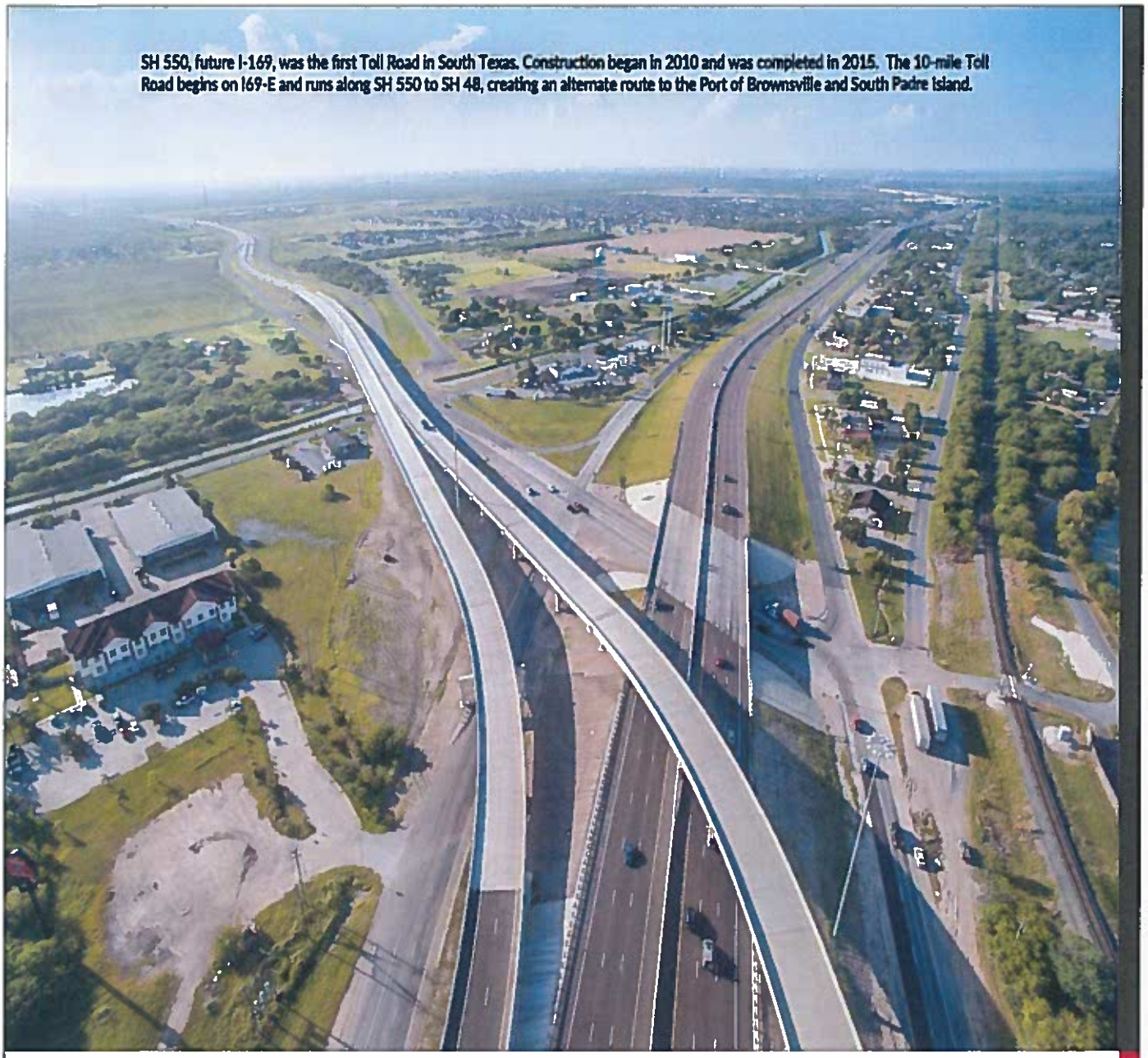
Vendor ID	Vendor Name	Invoice Number	Cash Required	Invoice/Credit Description
		Claims Paid December 16, 2016		
Adrian	Adrian Rincones	AR 12.15.16	4,132.54	Reimbursement for Office Supplies for Admin and TPS Office
Chairman Frank Parke	Chairman Frank Parker Jr	FPJr 12.13.16	847.60	Reimbursement for Meeting with Governor of Texas
CNA Surety	CNA Surety	71346656 - 2018	87.50	CNA Surety for Board Member Nat Lopez
Lizbeth J. Ponce	Lizbeth J. Ponce	LJP 11.22.16	201.49	Reimbursement for Office Supplies for TPS Office
Verizon Wireless	Verizon Wireless	7454243474	52.15	Hotspot monthly services
		Total:	5,321.28	
		Claims Paid December 29, 2016		
Emp Ericka Trevino	Ericka Trevino	ET 12.29.16	76.17	Travel and Office Supplies Reimbursement
Gexa Energy	Gexa Energy, LP	22401501	138.16	Energy services for admin office
Lone Star Shredding	Lone Star Shredding Document Storage	1930293	52.50	Shredding Monthly Services
Ogilvy Public	Ogilvy Public Relations Worldwide	91383374	15,000.00	Government Relations for Dec 2016
Republic Services	Republic Services	0863-001247615	83.83	Yardwaste service for Jan-Mar 2017
SPI Chamber	South Padre Island Chamber of Commerce	11362	230.00	Membership Renewal
Staples Credit	Staples Credit Plan	Staples - Dec 2016	126.94	Staples office supplies Dec 2016
Sullivan Public Affairs	Sullivan Public Affairs	CC122016	7,500.00	Government relaltions consulting services for Dec 2016
The Rentrfro Law Firm	The Rentfro Law Firm, PLLC.	2016-12-29	1,310.00	Reimbursement for payments to Mediator on lawsuit matter for the CCRMA and recording fees
		Total:	24,517.60	
		Grand Total:	29,838.88	

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Claims Acknowledgement - Toll Operations

Vendor ID	Vendor Name	Invoice Number	Cash Required	Invoice/Credit Description
		Claims Paid December 16, 2016		
Adrian	Adrian Rincones	AR 12 15.16-1	107.38	Reimbursement for lunch for BOS office training
Franco San Miguel	FRANCISCO J SANMIGUEL	FSM Nov 2016	2,000.00	Monthly SH550 Maintenance Services for Nov 2016
Lizbeth J. Ponce	Lizbeth J. Ponce	LJP 11.22.16	100.22	Reimbursement for Office Supplies for TPS Office
Printograph Inc	Gotprint.com	US-GP-100-21410958	15,260.20	Envelopes for TPS Mailing Services
		Total:	17,467.80	
		Claims Paid December 29, 2016		
Angel T Perez	Angel Timoteo Perez	AP 12 16.16	192.50	SH550 closure for Maintenance
Core Business	Core Business Solutions, Inc	334033	148.17	Changed phone lines at TPS Office
Franco San Miguel	FRANCISCO J SANMIGUEL	FSM 12.20.16	217.06	SH550 Maintenance Boom Manlift
PUB	Public Utilities Board	Dec 2016 - 588837	214.13	Energy services for SH550 - Port Spur
Reliant	Reliant	176002971805	292.24	TPS Office Energy Services
SD Karen Barrientos	Karen Barrientos	KB 12.16.16	192.50	SH550 closure for Maintenance
Staples Credit	Staples Credit Plan	Staples - Dec 2016	850.53	Staples office supplies Dec 2016
		Total:	2,107.13	
		Claims Paid January 5, 2017		
US Post Master	US Post Master	USPS 1.5.17	15,000.00	Addition of Funds for USPS Permit Account for Mailing Toll Correspondence
		Total:	15,000.00	
		Grand Total:	34,574.93	

4-B CONSIDERATION AND APPROVAL OF THE FINANCIAL STATEMENTS AND BUDGET AMENDMENTS FOR THE MONTH OF DECEMBER 2016



SH 550, future I-169, was the first Toll Road in South Texas. Construction began in 2010 and was completed in 2015. The 10-mile Toll Road begins on I69-E and runs along SH 550 to SH 48, creating an alternate route to the Port of Brownsville and South Padre Island.

CCRMA MONTHLY FINANCIAL REPORT DECEMBER 2016

Pete Sepulveda, Jr. Executive Director

Jesus Adrian Rincones, CPA, CFE, Chief Financial Officer

CCRMA MONTHLY FINANCIALS

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CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Statement of Revenues, Expenditures And Changes in Net Assets - Unposted Transactions Included In Report

From 12/1/2016 Through 12/31/2016

(In Whole Numbers)

	Current Period Actual	Current Year Actual	YTD Budget - Original	YTD Budget Variance - Original
Operating Revenues				
Vehicle registration fees	214,440	644,410	3,100,000	(2,455,590)
TRZ revenue	0	0	175,000	(175,000)
Other revenue	0	0	3,390,213	(3,390,213)
Total Operating Revenues	214,440	644,410	6,665,213	(6,020,803)
Operating Expenses				
Personnel costs	88,940	178,103	633,159	455,056
Professional services	29,500	59,756	290,300	230,544
Contractual services	653	28,829	185,000	156,171
Debt interest	0	0	5,703,666	5,703,666
Project expenses	0	0	314,688	314,688
Advertising & marketing	54	409	25,000	24,591
Data processing	0	402	10,000	9,598
Dues & memberships	400	400	25,000	24,600
Education & training	0	199	10,000	9,801
Fiscal agent fees	0	2,170	45,000	42,830
Insurance	88	577	10,000	9,423
Maintenance & repairs	0	1,530	22,400	20,870
Office supplies	4,764	8,009	36,000	27,991
Rent	1,750	5,250	30,000	24,750
Travel	1,772	4,591	30,000	25,409
Utilities	379	1,138	10,000	8,862
Other expenses	0	0	5,000	5,000
Total Operating Expenses	128,300	291,363	7,385,213	7,093,850
Non Operating Revenue				
Interest income	651	1,416	15,000	(13,584)
Other Financing sources	0	0	705,000	(705,000)
Total Non Operating Revenue	651	1,416	720,000	(718,584)
Changes in Net Assets	86,792	354,463	0	354,463
Net Assets Beginning of Year	267,672	0	0	0
Net Assets End of Year	354,463	354,463	0	354,463

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Statement of Revenues and Expenditures - Toll Operations - Unposted Transactions Included In Report

From 12/1/2016 Through 12/31/2016

	Current Period Actual	Current Year Actual	YTD Budget - Original	YTD Budget Variance - Original
Toll Operating Revenues				
Toll Operating Revenues				
Toll Revenue	35,725.73	117,227.48	475,200.00	(357,972.52)
Toll Violation Revenue	29,502.32	78,989.92	665,280.00	(586,290.08)
Interop Revenue	46,933.01	145,684.51	550,000.00	(404,315.49)
Total Toll Operating Revenues	112,161.06	341,901.91	1,690,480.00	(1,348,578.09)
TPS Accrued Revenues				
TPS Toll Revenues	25,331.37	25,331.37	0.00	25,331.37
TPS RBP Revenue	42.21	42.21	0.00	42.21
Total TPS Accrued Revenues	25,373.58	25,373.58	0.00	25,373.58
Total Toll Operating Revenues	137,534.64	367,275.49	1,690,480.00	(1,323,204.51)
Toll Operating Expenses				
Payroll - Indirect	15,032.03	32,444.52	159,640.00	127,195.48
Payroll Taxes	1,134.67	2,413.42	12,212.00	9,798.58
Payroll Benefits - Retirement	0.00	1,610.32	16,732.00	15,121.68
Payroll Benefits - Health	0.00	3,580.94	48,000.00	44,419.06
Advertising & Marketing	1,428.38	9,528.60	50,000.00	40,471.40
Contractual	2,000.00	6,000.00	40,000.00	34,000.00
Dues & Memberships	0.00	2,995.46	10,000.00	7,004.54
Education & Training	0.00	1,600.00	4,000.00	2,400.00
Maintenance & Repairs	1,588.17	3,540.57	15,000.00	11,459.43
Maintenance - SH 550	4,602.06	11,720.13	100,000.00	88,279.87
Interop Collection Fees	3,095.66	9,644.43	55,000.00	45,355.57
PBM Add on Fees	3,778.98	12,426.35	25,000.00	12,573.65
PBM Image Review	2,012.23	11,539.40	30,000.00	18,460.60
PBM Pre-Court Program	95.00	285.00	4,000.00	3,715.00
Office Supplies	4,860.35	6,477.22	25,000.00	18,522.78
Postage	15,260.20	15,260.20	50,000.00	34,739.80
Rent	457.89	915.78	35,000.00	34,084.22
Travel	175.78	5,606.53	8,000.00	2,393.47
Utilities	3,312.84	13,332.29	40,000.00	26,667.71
Transfer to General Operations	0.00	0.00	380,000.00	380,000.00
Toll Road Property Insurance	0.00	14,490.25	75,000.00	60,509.75
Toll Operational Support	3,477.00	13,579.00	100,000.00	86,421.00
Toll System Provider Maintenance	12,500.00	37,500.00	225,000.00	187,500.00
BOS System Provider Maintenance	0.00	0.00	175,000.00	175,000.00
Merchant Card Services	0.00	0.00	45,000.00	45,000.00
Maintenance & Debt Reserve	0.00	0.00	312,896.00	312,896.00
Total Toll Operating Expenses	74,811.24	216,490.41	2,040,480.00	1,823,989.59
Changes in Net Assets	62,723.40	150,785.08	(350,000.00)	500,785.08

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Combined Statement of Revenues and Expenses - Unposted Transactions Included In Report

From 12/1/2016 Through 12/31/2016

	Current Period Actual	Current Year Actual	YTD Budget - Original	YTD Budget Variance - Original
Operating Revenues				
Vehicle registration fees	214,440.00	644,410.00	3,100,000.00	(2,455,590.00)
Toll revenues	137,534.64	367,275.49	1,715,480.00	(1,348,204.51)
TRZ revenue	0.00	0.00	175,000.00	(175,000.00)
Other revenue	0.00	0.00	3,440,213.00	(3,440,213.00)
Total Operating Revenues	351,974.64	1,011,685.49	8,430,693.00	(7,419,007.51)
Operating Expenses				
Personnel costs	105,106.31	218,151.84	869,743.00	651,591.16
Accounting software and services	0.00	0.00	10,300.00	10,300.00
Professional services	29,500.00	59,756.00	280,000.00	220,244.00
Contractual services	2,652.71	34,828.58	225,000.00	190,171.42
Debt interest	0.00	0.00	5,303,666.00	5,303,666.00
Project expenses	0.00	0.00	1,027,584.00	1,027,584.00
Advertising & marketing	1,482.49	9,937.71	75,000.00	65,062.29
Data processing	0.00	402.00	10,000.00	9,598.00
Dues & memberships	400.00	3,395.46	25,000.00	21,604.54
Education & training	0.00	1,799.00	14,000.00	12,201.00
Fiscal agent fees	0.00	2,170.00	45,000.00	42,830.00
Insurance	87.50	15,067.00	85,000.00	69,933.00
Maintenance & repairs	1,588.17	5,070.57	22,400.00	17,329.43
Office supplies	24,884.70	29,746.76	111,000.00	81,253.24
Road maintenance	17,102.06	49,220.13	545,000.00	495,779.87
Rent	2,207.89	6,165.78	65,000.00	58,834.22
Toll services	12,458.87	47,474.18	619,000.00	571,525.82
Travel	1,948.10	10,197.88	38,000.00	27,802.12
Utilities	3,691.98	14,470.31	50,000.00	35,529.69
Other expenses	0.00	0.00	5,000.00	5,000.00
Total Operating Expenses	203,110.78	507,853.20	9,425,693.00	8,917,839.80
Non Operating Revenue				
Interest income	651.04	1,416.10	15,000.00	(13,583.90)
Other Financing sources	0.00	0.00	980,000.00	(980,000.00)
Total Non Operating Revenue	651.04	1,416.10	995,000.00	(993,583.90)
Changes in Net Assets	149,514.90	505,248.39	0.00	505,248.39
Net Assets Beginning of Year	355,733.49	0.00	0.00	0.00
Net Assets End of Year	505,248.39	505,248.39	0.00	505,248.39

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
Capital Projects in Progress - Unposted Transactions Included In Report
From 12/1/2016 Through 12/31/2016
(In Whole Numbers)

	Current Period Actual	Current Year Actual	YTD Budget - Original	YTD Budget Variance - Original
Capital Projects				
South Padre Island 2nd Access	0	7,680	1,250,000	1,242,320
Outer Parkway	0	0	1,000,000	1,000,000
FM 1925	0	0	500,000	500,000
West Rail Relocation	16,921	50,167	2,500,000	2,449,833
SH 550	472	44,637	5,250,000	5,205,363
SH 32 (East Loop)	0	26,404	1,000,000	973,596
Port Isabel Access Rd	0	0	50,000	50,000
Spur 54 Project	3,086	8,251	44,000	35,749
Toll Equipment & Operational Infrastructure	15,524	409,624	1,250,000	840,376
Total Capital Projects	36,003	546,764	12,844,000	12,297,236

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 12/1/2016 Through 12/31/2016
(In Whole Numbers)

		Current Period Actual	Current Year Actual	YTD Budget - Original	YTD Budget Variance - Original
Capital Projects					
South Padre Island 2nd Access	2000				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Planning & Coordination	15100	0	1,108	550,000	548,892
CIP - Preliminary Engineering & Design	15110	0	0	200,000	200,000
CIP - Environmental Studies	15120	0	0	500,000	500,000
CIP - Direct Legal Costs	15300	0	6,572	0	(6,572)
Total South Padre Island 2nd Access		0	7,680	1,250,000	1,242,320
Outer Parkway	2050				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Planning & Coordination	15100	0	0	200,000	200,000
CIP - Preliminary Engineering & Design	15110	0	0	125,000	125,000
CIP - Environmental Studies	15120	0	0	675,000	675,000
Total Outer Parkway		0	0	1,000,000	1,000,000
FM 1925	2075				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Environmental Studies	15120	0	0	500,000	500,000
Total FM 1925		0	0	500,000	500,000
West Rail Relocation	2100				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Mitigation	15130	3,766	6,643	0	(6,643)
CIP - Right of Way	15200	13,154	43,460	0	(43,460)
CIP - Construction	15220	0	0	2,500,000	2,500,000
CIP - Direct Legal Costs	15300	0	64	0	(64)
Total West Rail Relocation		16,921	50,167	2,500,000	2,449,833
SH 550	2200				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Mitigation	15130	0	22,569	100,000	77,431
CIP - Public Presentations, RFP, RFQ, Bidding & Letting	15140	0	1,225	0	(1,225)
CIP - Construction	15220	0	0	5,000,000	5,000,000
CIP - Construction Management	15240	0	4,647	150,000	145,353
CIP - Direct Legal Costs	15300	0	6,758	0	(6,758)
Total SH 550		0	35,199	5,250,000	5,214,801
SH 32 (East Loop)	2250				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Planning & Coordination	15100	0	10,070	250,000	239,930
CIP - Environmental Studies	15120	0	0	750,000	750,000
CIP - Public Presentations, RFP, RFQ, Bidding & Letting	15140	0	16,334	0	(16,334)
Total SH 32 (East Loop)		0	26,404	1,000,000	973,596
Port Isabel Access Rd	2400				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Planning & Coordination	15100	0	0	15,000	15,000
CIP - Environmental Studies	15120	0	0	35,000	35,000
Total Port Isabel Access Rd		0	0	50,000	50,000
Spur 54 Project	2425				
CAPITALIZED PROJECT COSTS	01CAP				
CIP - Planning & Coordination	15100	1,987	1,987	10,000	8,013
CIP - Environmental Studies	15120	1,099	6,264	34,000	27,736
Total Spur 54 Project		3,086	8,251	44,000	35,749
Toll Equipment & Operational Infrastructure	5000				
CAPITALIZED PROJECT COSTS	01CAP				

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Statement of Revenues and Expenditures - Unposted Transactions Included In Report
From 12/1/2016 Through 12/31/2016
(In Whole Numbers)

		Current Period Actual	Current Year Actual	YTD Budget - Original	YTD Budget Variance - Original
Toll Equipment & Software in Process	16000	15,524	409,624	1,250,000	840,376
Total Toll Equipment & Operational Infrastructure		15,524	409,624	1,250,000	840,376
Total Capital Projects		35,531	537,325	12,844,000	12,306,675

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
Balance Sheet
As of 12/31/2016
(In Whole Numbers)

	Current Year
ASSETS	
Current Assets:	
Cash and cash equivalents	
CCRMA Claims Account	212,196
CCRMA Operating Fund	564,356
CCRMA Merchant Card Account	158
CCRMA Mail Payments Account	100
CCRMA Line of Credit Account - TRB	988
Toll Operators Cash	81
TxDMV Escrow Account	1,000
TxTag - Replenishment Account	5,918
CCRMA Bond/Debt Funds	1,212,747
Total Cash and cash equivalents	1,997,544
Restricted cash accounts - debt service	
CCRMA Toll Revenue Funds	72,303
2010 A & B Pledged Revenue Funds	614,985
2010 A Debt Reserve	1,044,031
2010 A Debt Service	378,301
2010 B Debt Reserve	1,224,597
2010 B Debt Service	339,284
2012 Bond CAPI funds	999
2012 Bond Operating Fund	113,798
2012 Bond Project Funds	1,951,201
2012 Bonds Rate Stabilization Fund	1,600,000
2012 Bonds Debt Service	50,000
2012 Bond Renewal & Replacement Fund	40,000
2014 Refunding Series Escrow Account	671
2014 Refunding Series 10 Proceeds	5,125
Series 2014 Revenue and Tax	1,750
Total Restricted cash accounts - debt service	7,437,046
Accounts receivable	
Accounts Receivable - Customers	12,837
TPS Accounts Receivable	25,306
Vehicle Registration Fees - Receivable	58,396
Total Accounts receivable	96,539
Accounts receivable - other agencies	
Accounts Receivable - Other Agencies	1,102
Due from Other Agencies	595,285
Total Accounts receivable - other agencies	596,387
Prepaid expenses	
Prepaid Rent	1,750
Prepaid Other Expense	5,866
Total Prepaid expenses	7,616
Total Current Assets:	10,135,132
Non Current Assets:	
Long-term receivables	
TxDot - SH550 PTT	1,385,000
Total Long-term receivables	1,385,000
Capital assets, net	
Land & Right of Way	98,750
Buildings	202,803
Accumulated Depreciation-Buildings	(15,210)

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
Balance Sheet
As of 12/31/2016
(In Whole Numbers)

	Current Year
Improvements	20,791
Accumulated Depreciation-Improvements	(768)
Furnishings & Equipment	7,591,215
Accumulated Depreciation-Furnishings & Equipment	(1,128,395)
Software & Technology	19,792
Accumulated Depreciation Software & Technology	(11,875)
Infrastructure & Utilities	64,200,349
Improvements - Infrastructure	9,438
Accumulated Depreciation-Infrastructure	(2,790,385)
Total Capital assets, net	68,196,505
Capital projects in progress	
CIP - Planning & Coordination	843,686
CIP - Preliminary Engineering & Design	3,789,259
CIP - Environmental Studies	14,996,626
CIP - Mitigation	288,082
CIP - Public Presentations, RFP, RFQ, Bidding & Letting	54,449
CIP - Right of Way	66,793
CIP - Construction Management	56,164
CIP - Direct Legal Costs	296,555
CIP - Capitalized Interest	61,658
CIP - Direct Administration	493,049
CIP - Indirect Administration and Overhead	570,258
Toll Equipment & Software in Process	1,347,361
Total Capital projects in progress	22,863,938
Other assets	
Other Assets	46,621,328
Deferred Outflow - Changes of Assumption	1,138
Total Other assets	46,622,466
Unamortized bond prepaid costs	
2012 Bonds Prepaid Insurance	108,002
2014 Bond Prepaid Insurance	10,888
Total Unamortized bond prepaid costs	118,890
Total Non Current Assets:	139,186,799
Total ASSETS	149,321,931
LIABILITIES	
Current Liabilities	
Accounts payable	
AP - Operations	43,572
AP - Project Exenditures	304,891
Total Accounts payable	348,463
Accrued expenses	
TxTag Customer Deposits	393
Toll Refunds from MSB	5,611
Accrued Expense	450,790
Total Accrued expenses	456,793
Payroll liabilities	
Federal Tax Withholding	(8)
Payroll Tax Payable	9
Retirement Contribution Payable	9,038
Health Insurance Payable	1,550
Aflac Employee Liabilities	59

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
Balance Sheet
As of 12/31/2016
(In Whole Numbers)

	Current Year
Dental Insurance Payable	61
Employee Vision Insurance	25
Total Payroll liabilities	10,733
Deferred revenue	
UFV Fund Deposits	1,690
Deferred Revenue	1,465
TPS Customer Deposits	11
Total Deferred revenue	3,165
Total Current Liabilities	819,154
Non Current Liabilities	
Due to other agencies	
Cameron County	167,500
Procurement Deposits and Other	89,758
Due to other Entity's	2,014,428
Total Due to other agencies	2,271,686
Due to TxDot	
Union Pacific - West Rail Project	29,461,531
Union Pacific - Olmito Switchyard	9,919,811
TxDot FAA - South Padre Island	12,820,809
TxDot FAA - West Parkway	2,244,589
TxDot FAA - Outer Parkway	54,365
Total Due to TxDot	54,501,105
Long term bond payable	
2010A Bonds Payable	4,480,000
2010A Unamortized Premium	13,761
2010B Bonds Payable	15,535,000
2012 Bonds Payable	40,000,000
2012 Unamortized Premium	3,862,351
2014 Bonds Payable	5,000,000
2014 Bond Premium	139,882
2010A Refund Series 2014	5,475,000
2010A Refund Premium Series 2014	97,922
2010A Refunding Deferred Charge 2014 Series	31,341
2015 CO Bonds	4,500,000
2015 CO Bonds Discount	(37,186)
Total Long term bond payable	79,098,071
Total Non Current Liabilities	135,870,862
Total LIABILITIES	136,690,017
NET POSITION	
Beginning net position	
	13,088,186
Total Beginning net position	13,088,186
Changes in net position	
	(101,677)
Total Changes in net position	(101,677)
Total NET POSITION	12,986,509
TOTAL LIABILITIES AND NET POSITION	149,676,525

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY
Statement of Cash Flows
As of 12/31/2016

	Current Period	Current Year
Cash Flows from Operating Activities		
Receipts from Vehicle Registration Fees	0.00	451,200.00
Receipts from Toll Revenues	108,332.54	330,709.92
Receipts from other Operating Income	0.00	37,500.00
Payments to Vendors	(161,691.07)	(396,093.31)
Payments to Employees	(97,712.24)	(211,107.99)
Total Cash Flows from Operating Activities	(151,070.77)	212,208.62
Cash Flows from Capital and related Financing Activities		
Acquisitions of Property and Equipment	(471.90)	(9,438.08)
Receipts from Grants and Other income	651.04	1,416.10
Acquisitions of Construction in Progress	(229,052.89)	(882,920.22)
Proceeds from TxDot FAA	0.00	1,028,117.27
Total Cash Flows from Capital and related Financing Activities	(228,873.75)	137,175.07
Net Increase (Decrease) in Cash & Cash Equivalents	(379,944.52)	349,383.69
Beginning Cash & Cash Equivalents	729,328.21	0.00
Ending Cash & Cash Equivalents	349,383.69	349,383.69

4-C CONSIDERATION AND APPROVAL OF CAMERON COUNTY REGIONAL MOBILITY AUTHORITY'S AMENDED PROCUREMENT POLICIES

Final Version
TxDOT Approved
12.22.16

POLICIES AND PROCEDURES GOVERNING

PROCUREMENTS OF GOODS AND SERVICES

BY THE

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

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POLICIES AND PROCEDURES GOVERNING PROCUREMENTS OF GOODS AND SERVICES BY THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

SECTION 1. STATEMENT OF GENERAL POLICY.

It is the policy of the Cameron County Regional Mobility Authority (the "Authority") that all Authority procurements shall be based solely on economic and business merit in order to best promote the interests of the citizens of the region served by the Authority.

SECTION 2. CONFLICT OF INTEREST.

2.1 Independence and Influence. A member of the Board of Directors or an employee or agent of the Authority shall not:

(a) contract with the Authority or, without disclosure and recusal, in accordance with sections 2.2 and 2.4, be directly or indirectly interested in a contract with the Authority or the sale of property to the Authority (aside from, in the case of an employee or agent, a contract establishing the employment or agency relationship);

(b) accept or solicit any gift, favor, or service that might reasonably tend to influence that Board member, employee or agent in the making of procurement decisions or that the Board member, employee or agent knows or should have known is being offered with the intent to influence the Board member's, employee's or agent's making of procurement decisions; or

(c) accept other compensation that could reasonably be expected to impair the Board member's, employee's or agent's independence of judgment in the making of procurement decisions.

2.2. Business and Real Estate Interests. If a member of the Board of Directors of the Authority owns either ten percent or more or $15,000 or more of the fair market value of a business entity that is seeking to contract with the Authority, or funds received from the business entity exceed ten percent of the Board member's gross income for the previous year, the Board member shall file an affidavit stating the nature and extent of his or her interest and shall abstain from further participation in any procurement decisions affecting the business entity. If a Board member has an equitable or legal ownership interest with a fair market value of $2,500 or more in real property that the Authority is considering purchasing or leasing, the Board member shall file an affidavit stating the nature and extent of his or her interest and shall abstain from participation in any decisions related to the purchase or lease of the real property by the Authority.

2.3 Familial Relationships. A Board member, employee, or agent of the Authority may not exercise control over any decisions that could result in the hiring of or a contract with an individual who is related to the Board member, employee, or agent within the second degree of consanguinity or affinity. Regardless of the whether the Board member participates in the decision, the Authority may not hire or contract with an individual who is related to a Board member within the second

degree of consanguinity or affinity. Degree of consanguinity or affinity shall be determined according to the criteria set forth in Chapter 573, Government Code.

2.4 Conflicts Disclosure. A bidder and a member of the Authority's Board of Directors shall be required to file a conflicts disclosure statement with the RMA, in the form adopted by the Texas Ethics Commission, disclosing:

(a) any employment or other business relationship between the bidder and the Board member, or the spouse, parent, or child of the Board member, that resulted in the Board member or his or her spouse, parent, or child receiving taxable income (other than investment income) that exceeds $2,500 for the twelve-month period preceding the date on which the bidder sought to contract with the Authority; and

(b) any gifts with an aggregate value of $250 or more given to a board member or his or her spouse, parent, or child during the twelve-month period preceding the date on which the bidder sought to contract with the Authority.

SECTION 3. DISADVANTAGED BUSINESS PARTICIPATION; COMPLIANCE WITH POLICY.

Disadvantaged Business Enterprises will be encouraged to participate in the procurement process. If the Authority adopts a policy regarding Disadvantaged Business Enterprises, all procurements shall comply with such policy.

SECTION 4. DEFINITIONS.

As used in this policy, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise.

Available bidding capacity: Bidding capacity less uncompleted work under a construction or building contract.

Authority: The Cameron County Regional Mobility Authority.

Bid or quote: The response to a request for the pricing of products, goods, or services (other than professional services or certain consulting services) that the Authority proposes to procure.

Bid documents: Forms promulgated by the Authority that the bidder completes and submits to the Authority to document the bidder's bid on a contract to be let by the Authority. Bid documents promulgated by the Authority for a procurement will include the following information: (i) the location and description of the proposed work; (ii) an estimate of the various quantities and kinds of work to be performed and/or materials to be furnished; (iii) a schedule of items for which unit prices are requested; (iv) the time within which the work is to be completed; (v) any special provisions and special specifications; (vi) the amount of bid guaranty, if any, required; and (vii) and the Authority's policy regarding the participation in the contract or in subcontracts let under the contract by Disadvantaged Business Enterprises, in accordance with the Authority's policies regarding such participation.

Bid guaranty: The security designated in the bid documents for a construction or building contract to be furnished by the bidder as a guaranty that the bidder will enter into a contract if awarded the work.

Bidder: An individual, partnership, limited liability company, corporation or any combination submitting a bid or offer of goods or services.

Bidding capacity: The maximum dollar value a contractor may have under a construction or building contract at any given time, as determined by the Authority.

Board: The Board of Directors of the Authority.

Building contract: A contract for the construction or maintenance of an Authority building, toll plaza, or appurtenant facilities.

Comprehensive Development Agreement ("CDA"): An agreement with a private entity that at a minimum provides for the design and construction of a transportation project, that may also provide for the financing, acquisition, maintenance or operation of a transportation project, and that entitles the private entity to a leasehold interest in the transportation project or the right to operate or retain revenue from the operation of the transportation project.

Construction contract: A contract for the construction, reconstruction, maintenance, or repair of a segment of a transportation project, including a contract let to preserve and prevent further deterioration of a transportation project.

Consulting service: The service of advising or preparing studies or analyses for the Authority under a contract that does not involve the traditional relationship of employer and employee. Except in connection with CDAs, consulting services may not be procured under a construction or building contract. Consulting services are not professional services or general goods and services as defined in this policy.

Design-build or design-build-finance agreement: An agreement with a private entity that provides for the design, construction, financing, expansion, extension, related capital maintenance, rehabilitation, alteration, or repair of a transportation project but does not grant the private entity a leasehold interest in the transportation project or the right to operate or retain revenue from the operation of the transportation project.

Design-build contractor: A partnership, corporation, or other legal entity or team that includes an engineering firm and a construction contractor qualified to engage in the construction of transportation projects in the State of Texas and that is selected by the Authority in accordance with section 10 of this Policy.

Emergency: Any situation or condition affecting a transportation project resulting from a natural or man-made cause that poses an imminent threat to life or property of the traveling public or which substantially disrupts or may disrupt the safe and efficient flow of traffic and commerce or which has caused unforeseen damage to machinery, equipment or other property which would substantially interfere with or prohibit the collection of tolls in accordance with the Authority's bonding obligations and requirements.

Executive Director: The Executive Director of the Authority or any individual designated by the Board to act as the chief administrative officer of the Authority.

Federal-aid project: The construction, reconstruction, maintenance, or repair of a segment of a transportation project, including a contract let to preserve and prevent further deterioration of a transportation project, funded in whole or in part with funds provided by the government of the United States or any department thereof.

General goods and services: Goods, services, equipment, personal property and any other item procured by the Authority in connection with the fulfillment of its statutory purposes that are not procured under a construction or building contract or that are not consulting services or professional services as defined by this policy.

Highway: A road, highway, farm-to-market road, or street under the supervision of the State or political subdivision of the State.

Intermodal hub: A central location where cargo containers can be easily and quickly transferred between trucks, trains and airplanes.

Lowest best bidder: The lowest responsible bidder on a contract that complies with the Authority's criteria for such contract, as described in section 5 below.

Materially unbalanced bid: A bid, as may be more particularly defined in the bid documents, on a construction or building contract that generates a reasonable doubt that award to the bidder submitting a mathematically unbalanced bid will result in the lowest ultimate cost to the Authority.

Mathematically unbalanced bid: A bid, as may be more particularly defined in the bid documents, on a construction or building contract containing lump sum or unit bid items that do not reflect reasonable actual costs plus a reasonable proportionate share of the bidder's anticipated profit, overhead costs, and other indirect costs.

Nonresident bidder: A person who is not a resident of Texas.

Official newspaper of the Authority: The Brownsville Herald, the Harlingen Valley Morning Star, or other general circulation newspaper published in Cameron County as may be designated by the Board of Directors.

Professional services: Services that political subdivisions of the State must procure pursuant to the Professional Services Procurement Act, which are services defined by state law as accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, real estate appraising, or professional nursing, or services provided in connection with the employment or practice of a person who is licensed or registered as a certified public accountant, an architect, a landscape architect, a land surveyor, a physician (including a surgeon), an optometrist, a professional engineer, a state certified or state licensed real estate appraiser, or a registered nurse. Except in connection with a CDA, or as otherwise allowed by applicable law, professional services may not be procured under a construction or building contract.

Professional Services Procurement Act: Subchapter A of Chapter 2254 of the Texas Government Code, as amended from time to time.

Public utility facility:

(a) a water, wastewater, natural gas, or petroleum pipeline or associated equipment;

(b) an electric transmission or distribution line or associated equipment; or

(c) telecommunications information services, or cable television infrastructure or associated equipment, including fiber optic cable, conduit and wireless communications facilities.

Salvage property: Personal property (including, without limitation, supplies, equipment, and vehicles), other than items routinely discarded as waste, that through use, time, or accident is so damaged, used, consumed, or outmoded that it has little or no value to the Authority.

Surplus personal property: Personal property (including, without limitation, supplies, equipment, and vehicles) that is not currently needed by the Authority and is not required for the Authority's foreseeable needs. The term includes used or new property that retains some usefulness for the purpose for which it was intended or for another purpose.

State: The State of Texas.

System: A transportation project or a combination of transportation projects designated as a system by the Board in accordance with Texas Transportation Code § 370.034.

Transportation project:

(a) a turnpike project;

(b) a system as defined in Transportation Code §370.003(13);

(c) a passenger or freight rail facility, including (i) tracks; (ii) a rail line; (iii) switching, signaling, or other operating equipment; (iv) a depot; (v) a locomotive; (vi) rolling stock; (vii) a maintenance facility; and (viii) other real and personal property associated with a rail operation.

(d) a roadway with a functional classification greater than a local road or rural minor collector;

(e) a bridge;

(f) a ferry;

(g) an airport other than an airport that on September 1, 2005, was served by one or more air carriers engaged in scheduled interstate transportation, as those terms were defined by 14 C.F.R. section 1.1 on that date;

(h) a pedestrian or bicycle facility;

(i) an intermodal hub;

(j) an automated conveyor belt for the movement of freight;

(k) a border crossing inspection station, including (i) a border crossing inspection station located at or near an international border crossing; and (ii) a border crossing inspection station located at or near a border crossing from another state of the United States and not more than 50 miles from an international border;

(l) an air quality improvement initiative;

(m) a public utility facility;

(n) a transit system;

(o) a parking area, structure, or facility or a collection device for parking fees;

(p) projects and programs listed in the most recently approved state implementation plan for the area covered by the Authority, including an early action compact;

(q) improvements in a transportation reinvestment zone designated under Subchapter E, Chapter 222 of the Transportation Code; and

(r) port security, transportation, or facility projects eligible for funding under Section 55.002 of the Transportation Code.

Turnpike project: A highway of any number of lanes, with or without grade separations, owned or operated by the Authority and any improvement, extension or expansion to the highway, including:

(a) an improvement to relieve traffic congestion or promote safety;

(b) a bridge, tunnel, overpass, underpass, interchange, entrance plaza, approach, toll house, service road, or ramp;

(c) an administration, storage, or other building the Board considers necessary to operate the project;

(d) property rights, easements and interests the Board acquires to construct or operate the project;

(e) a parking area or structure, rest stop, park, and any other improvement or amenity the Board considers necessary, useful, or beneficial for the operation of a turnpike project; and

(f) a toll-free facility that is appurtenant to and necessary for the efficient operation of a turnpike project, including a service road, access road, ramp, interchange, bridge, or tunnel.

TxDOT: The Texas Department of Transportation.

SECTION 5. CONSTRUCTION AND BUILDING CONTRACTS.

5.1 Competitive Bidding. A contract requiring the expenditure of public funds for the construction or maintenance of the Authority's transportation projects may be let by competitive bidding in which the contract is awarded to the lowest responsible and responsive bidder that complies with the Authority's criteria for such contract, and such bidder shall constitute the lowest best bidder in accordance with this section 5. Bidding for procurements made by competitive bidding will be open and unrestricted, subject to the procedures set forth in this policy or, in the alternative, subject to the procedures set forth in "Local Area Management Procedures" adopted by the Authority Board of Directors in separate action. Any notice of contract letting shall specify which procedures apply to the procurement.

5.2 Qualification of Bidders. A potential bidder must be qualified to bid on construction contracts of the Authority. Unless the Authority elects, in its sole discretion, to separately qualify bidders on a construction project, only bidders qualified by TxDOT to bid on construction or maintenance contracts of TxDOT will be deemed qualified by the Authority to bid on the Authority's construction contracts. At its election, the Authority may waive this subsection 5.2 with respect to bidders on building contracts.

5.3 Qualifying with the Authority.

(a) If, in its sole discretion, the Authority elects to separately qualify bidders on a construction project, the Authority will require each potential bidder not already qualified by TxDOT to submit to the Authority an application for qualification containing:

(1) a confidential questionnaire in a form prescribed by the Authority, which may include certain information concerning the bidder's equipment, experience, and references, as well as financial condition;

(2) the bidder's current audited financial statement in a form and substance acceptable to the Authority; and

(3) a reasonable fee to be specified by the Authority to cover the cost of evaluating the bidder's application.

(b) An audited financial statement as referenced in subsection (a)(2) requires examination of the accounting system, records, and financial statements of the bidder by an independent certified public accountant in accordance with generally accepted auditing standards. In order for the audited financial statement to be considered acceptable, the auditor must express an opinion concerning the fairness of the financial statement and conformity with generally accepted accounting principles.

(c) Upon the recommendation of the Executive Director and with the concurrence of the Board of Directors, the Authority may waive the requirement that a bidder's financial statement be audited if the estimated amount of the contract is one million

dollars ($1,000,000.00) or less. A bidder with no prior experience in construction or maintenance shall not receive a bidding capacity of more than one hundred thousand dollars ($100,000.00).

(d) The Authority will advise the bidder of its qualification and approved bidding capacity or of its failure to qualify. A bidder qualified by the Authority will remain qualified at its approved bidding capacity for twelve (12) months from the date of notice of approval; provided, however, that the Authority may require updated audited information at any time if circumstances develop which might alter the bidder's financial condition, ownership structure, affiliation status, or ability to operate as an ongoing concern, and the Authority may revoke or modify the bidder's qualification and approved bidding capacity based on such updated information. All such decisions concerning bidder qualifications shall be at the Authority's sole discretion.

5.4 Notice of Contract Letting.

(a) *Each notice of contract letting must provide:

(1) the date, time, and place where contracts will be let and bids opened;

(2) the address and telephone number from which prospective bidders may request bid documents; and

(3) a general description of the type of construction, services or goods being sought by the Authority.

*Additional information may be provided at the discretion of the Authority.

(b) The Authority shall post a notice of contract letting on its website for at least two (2) weeks before the date set for letting of a contract.

(c) Notice of contract letting shall also be published in an officially designated newspaper of the Authority at least once, with the first such notice published no less than two (2) weeks before the date set for letting of the contract. In the event the contract is to be paid or reimbursed with federal-aid highway program funding, the Authority shall comply with requirements and procedures set forth in Title 23 C.F.R.

(d) The Authority may also publish notice of contract lettings in the *Texas Register*, trade publications, or such other places that the Authority determines will enhance competition for the work.

(e) The date specified in the notice may be extended if the Executive Director, in his or her sole discretion, determines that the extension is in the best interest of the Authority. All bids, including those received before an extension is made, must be opened at the same time.

5.5 Bid Documents. The Authority will prepare a set of bid documents for each construction or building contract to be let through the procedures of this section 5.

5.6 Issuance of Bid Documents.

Except as otherwise provided in this policy, the Authority will issue bid documents for a construction contract or building contract upon request and only after proper notice has been given regarding the contract letting. A request for bid documents for a federal-aid project must be submitted in writing and must include a statement in a form prescribed by the Authority certifying whether the bidder is currently disqualified by an agency of the federal government as a participant in programs and activities involving federal financial and non-financial assistance and benefits. A request for bid documents for any other construction or building contract may be made orally or in writing. Unless otherwise prohibited under this policy, the Authority will, upon receipt of a request, issue bid documents for a construction contract as follows:

(a) to a bidder qualified by TxDOT, if the estimated cost of the project is within that bidder's available bidding capacity as determined by TxDOT;

(b) to a bidder qualified by the Authority, if the estimated cost of the project is within that bidder's available bidding capacity as determined by the Authority; and

(c) to a bidder who has substantially complied with the Authority's requirements for qualification, as determined by the Authority.

5.7 Withholding Bid Documents. The Authority will not issue bid documents for a construction contract if:

(a) the bidder is suspended or debarred from contracting with TxDOT or the Authority;

(b) the bidder is prohibited from rebidding a specific project because of default of the first awarded bid;

(c) the bidder has not fulfilled the requirements for qualification under this policy, unless the bidder has substantially complied with the requirements for qualification, as determined by the Authority;

(d) the bidder is disqualified by an agency of the federal government as a participant in programs and activities involving federal assistance and benefits, and the contract is for a federal-aid project; or

(e) the bidder or its subsidiary or affiliate has received compensation from the Authority to participate in the preparation of the plans or specifications on which the bid or contract is based.

5.8 Completion and Submission of Bid Documents.

(a) At the option of the Authority, a pre-bid conference may be held before opening bids to allow potential bidders to seek clarification regarding the procurement and/or the bid documents. Alternatively, bidders may submit written requests for clarification.

(b) Bidders shall complete all information requested in bid documents by typing, printing by computer printer, or printing in ink. The bidder shall submit a unit price, expressed in numerals, for each item for which a bid is requested (including zero dollars and zero cents, if appropriate), except in the case of a regular item that has an alternate bid item. In such case, prices must be submitted for the base bid or with the set of items of one or more of the alternates. Unit prices shown on acceptable computer printouts will be the official unit prices used to tabulate the official total bid amount and used in the contract if awarded.

(c) Each set of bid documents shall be executed in ink in the complete and correct name of the bidder making the bid and shall be signed by the person or persons authorized to bind the bidder.

(d) If required by the bid documents, the bidder must submit a bid guaranty with the bid. The bid guaranty shall be in the amount specified in the bid documents, shall be payable to the Authority, and shall be in the form of a cashier's check, money order, or teller's check issued by a state or national bank, savings and loan association, or a state or federally chartered credit union (collectively referred to as "bank"). The Authority will not accept cash, credit cards, personal checks or certified checks, or other types of money orders. Bid bonds may be accepted at the sole discretion of the Authority. Failure to submit the required bid guaranty in the form set forth in this subsection shall disqualify a bidder from bidding on the project described in the bid documents.

(e) A bid on a federal-aid project shall include, in a form prescribed by the Authority, a certification of eligibility status. The certification shall describe any suspension, debarment, voluntary exclusion, or ineligibility determination actions by an agency of the federal government, and any indictment, conviction, or civil judgment involving fraud or official misconduct, each with respect to the bidder or any person associated therewith in the capacity of owner, partner, director, officer, principal investor, project director/supervisor, manager, auditor, or a position involving the administration of federal funds; such certification shall cover the three-year period immediately preceding the date of the bid. Information adverse to the bidder as contained in the certification will be reviewed by the Authority and by the Federal Highway Administration, and may result in rejection of the bid and disqualification of the bidder.

(f) The bidder shall place each completed set of bid documents in a sealed envelope that shall be clearly marked "Bid Documents for _____" (name of the project or service). When submitted by mail, this envelope shall be placed in another envelope that shall be sealed and addressed as indicated in the notice. Bids must be received at the location designated in the notice on or before the hour, as

established by the official clock of the Authority, and date set for the receipt. The official clock at the place designated for receipt of bids shall serve as the official determinant of the hour for which the bid shall be submitted and shall be considered late.

5.9 Revision of Bid by Bidder. A bidder may change a bid price before it is submitted to the Authority by changing the price and initialing the revision in ink. A bidder may change a bid price after it is submitted to the Authority by requesting return of the bid in writing prior to the expiration of the time for receipt of bids. A person authorized to bind the bidder must make the request. The Authority will not accept a request by telephone, telegraph, or electronic mail, but will accept a properly signed facsimile request. The revised bid must be resubmitted prior to the time specified for the close of the receipt of bids.

5.10 Withdrawal of Bid. A bidder may withdraw a bid by submitting a request in writing before the time and date of the bid opening. A person authorized to bind the bidder must make the request. The Authority will not accept telephone, telegraph, or electronic mail requests, but will accept a properly signed facsimile request.

5.11 Acceptance, Rejection, and Reading of Bids. Bids will be opened and read at a public meeting held at the time, date, and place designated in the notice. Only the person so designated by the Authority shall open bids on the date specified in the notice, or as may have been extended by direction of the Executive Director. The Authority, acting through the Executive Director or the Executive Director's designee, will not accept and will not read a bid if:

(a) the bid is submitted by an unqualified bidder;

(b) the bid is in a form other than the official bid documents issued to the bidder;

(c) the form and content of the bid do not comply with the requirements of the bid documents and/or subsection 5.8;

(d) the bid, and if required, federal-aid project certification, are not signed;

(e) the bid was received after the time or at some location other than specified in the notice or as may have been extended;

(f) the bid guaranty, if required, does not comply with subsection 5.8;

(g) the bidder did not attend a specified mandatory pre-bid conference, if required under the bid documents;

(h) the proprietor, partner, majority shareholder, or substantial owner is thirty (30) or more days delinquent in providing child support under a court order or a written repayment agreement;

(i) the bidder was not authorized to be issued a bid under this policy;

(j) the bid did not otherwise conform with the requirements of this policy; or

(k) more than one bid involves a bidder under the same or different names.

5.12 Tabulation of Bids. Except for lump sum building contracts bid items, the official total bid amount for each bidder will be determined by multiplying the unit bid price written in for each item by the respective quantity and totaling those amounts. If a unit bid price is illegible, the Authority will make a documented determination of the unit bid price for tabulation purposes. If a unit bid price has been entered for both the regular bid and a corresponding alternate bid, the Authority will determine the option that results in the lowest total cost to the Authority and tabulate as such. If both the regular and alternate bids result in the same cost to the Authority, the Authority will select the regular bid item or items.

5.13 Award of Contract. Except as otherwise provided in this section 5, if the Authority does not reject all bids, it will award the contract to the lowest best bidder. In determining the lowest best bidder, in addition to price the Authority shall consider:

(a) the bidder's ability, capacity, and skill to perform the contract or provide the service required;

(b) the bidder's ability to perform the contract or provide the service promptly, or in the time required, without delay or interference;

(c) the bidder's character, responsibility, integrity, reputation, and experience;

(d) the quality of performance by the bidder of previous contracts or services;

(e) the bidder's previous and existing compliance with laws relating to the contract or service; and

(f) the sufficiency of the bidder's financial resources and ability to perform the contract or provide the service.

5.14 Rejection of Bids; Nonresident Bidders. The Authority, acting through the Executive Director or his or her designee, may reject any and all bids opened, read, and tabulated under this policy. It will reject all bids if:

(a) there is reason to believe collusion may have existed among the bidders;

(b) the low bid is determined to be both mathematically and materially unbalanced;

(c) the lowest best bid is higher than the Authority's estimate and the Authority determines that re-advertising the project for bids may result in a significantly lower low bid or that the work should be done by the Authority; or

(d) the Board of Directors, acting on the recommendation of the Executive Director, determines, for any reason, that it is in the best interest of the Authority to reject all bids.

In accordance with Texas Government Code, Chapter 2252, Subchapter A, the Authority will not award a contract to a nonresident bidder unless the nonresident underbids the lowest best bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

5.15 Bid Protests.

(a) All protests relating to advertising of bid notices, alleged improprieties or ambiguities in bid documents, deadlines, bid openings and all other bid-related procedures must be made in writing and submitted to the Executive Director within five (5) business days of the bid opening. Each protest must include the following:

(1) the name and address of the protester, and the vendor it represents, if different;

(2) the identification number, reference number, or other identifying criteria specified in the bid documents to identify the procurement in question;

(3) a statement of the grounds for protest; and

(4) all documentation supporting the protest.

(b) A decision and response to the protest will be prepared by the Executive Director within a reasonable time after receipt of a properly prepared written protest.

(c) Appeals of responses and decisions regarding protests must be made to the Board in writing, and must be filed with the Executive Director of the Authority, with a copy to the Chairman of the Board of Directors, within ten (10) business days after the response and decision regarding the original protest are issued. Written appeals shall include all information contained in the original written protest, as well as any newly discovered documentation supporting the protest that was not reasonably available to the protester when the original protest was filed. Subject to all applicable laws governing the Authority, the decision of the Board regarding an appeal shall be final.

5.16 Contract Execution: Submission of Ancillary Items.

(a) Within the time limit specified by the Authority, the successful bidder must execute and deliver the contract to the Authority together with all information required by the Authority relating to the Disadvantaged Business Enterprises participation to be used to achieve the contract's Disadvantaged Business Enterprises goal as specified in the bid documents and the contract.

(b) After the Authority sends written notification of its acceptance of the successful bidder's documentation to achieve the Disadvantaged Business Enterprises goal, if any, the successful bidder must furnish to the Authority within the time limit specified by the Authority:

(1) a performance bond and a payment bond, if required and as required by Texas Government Code, Chapter 2253, with powers of attorneys attached, each in the full amount of the contract price, executed by a surety company or surety companies authorized to execute surety bonds under and in accordance with state law;

(2) a certificate of insurance on a form acceptable to the Authority showing coverage in accordance with contract requirements; provided, however, that a successful bidder on a routine construction contract will be required to provide the certificate of insurance prior to the date the contractor begins work as specified in the Authority's order to begin work.

5.17 Unbalanced Bids. The Authority will examine the unit bid prices of the apparent low bid for reasonable conformance with the Authority's estimated prices. The Authority will evaluate, and may reject, a bid with extreme variations from the Authority's estimate, or where obvious unbalancing of unit prices has occurred.

5.18 Bid Guaranty. Not later than seven (7) business days after bids are opened, the Authority will mail the bid guaranty of all bidders to the address specified on each bidder's bid documents, except that the Authority will retain the bid guaranty of the apparent lowest best bidder, second-lowest best bidder, and third-lowest best bidder, until after the contract has been awarded, executed, and bonded. If the successful bidder (including a second-lowest best bidder or third-lowest best bidder that ultimately becomes the successful bidder due to a superior bidder's failure to comply with these rules or to execute a contract with the Authority) does not comply with subsection 5.16 the bid guaranty will become the property of the Authority, not as a penalty but as liquidated damages, unless the bidder effects compliance within seven (7) business days after the date the bidder is required to submit the bonds and insurance certificate under subsection 5.16. A bidder who forfeits a bid guaranty will not be considered in future bids for the same work unless there has been a substantial change in the design of the project subsequent to the forfeiture of the bid guaranty and the Board of Directors, upon request made in writing by bidder and received at such time that the Board may consider the request at a regularly scheduled board meeting prior to the due date for the bids, approves of the submission of a bid by the bidder.

5.19 Progress Payments; Retainage and Liquated Damages.

(a) In addition to other provisions required by the Authority, construction and building contracts will provide for the Authority to make progress payments, which shall be reduced by retainage, as work progresses and is approved by the Authority.

(b) Retainage shall be in the amount of five percent (5%) of the contract price until the entire work has been completed and accepted. Unless the Authority agrees otherwise in writing, retainage shall not bear interest or be segregated from other Authority funds. If the Authority agrees to segregate retainage in an interest-bearing account, the Authority may impose terms and conditions on such arrangement, including but not limited to, the following:

(1) retained funds must be deposited under the terms of a trust agreement with a state or national bank domiciled in Texas and approved by the Authority;

(2) all expenses incident to the deposit and all charges made by the escrow agent for custody of the securities and forwarding of interest shall be paid solely by the contractor;

(3) the Authority may, at any time and with or without reason, demand in writing that the bank return or repay, within 30 days of the demand, the retainage or any investments in which it is invested; and

(4) any other terms and conditions prescribed by the Authority as necessary to protect the interests of the Authority.

(c) Without limiting the Authority's right to require any other contract provisions, the Authority, at its sole discretion, may elect to require that a liquidated damages provision be made a part of any contract it enters into.

SECTION 6. PROFESSIONAL SERVICES.

6.1 General. Except as otherwise permitted by Transportation Code, Chapter 370, the Authority shall procure all professional services governed by the Professional Services Procurement Act in accordance with the requirements of that Act. In the event of any conflict between these policies and procedures and the Act, the Act shall control.

6.2 Selection of Provider; Fees.

(a) The Authority may not select a provider of professional services or a group or association of providers or award a contract for the services on the basis of competitive bids submitted for the contract or for the services, but shall make the selection and award based on the provider's:

(1) demonstrated competence and qualifications to perform the service, including precertification by TxDOT (if applicable); and

(2) ability to perform the services for a fair and reasonable price.

(b) The professional fees under the contract:

(1) may be consistent with and must not be higher than the recommended practices and fees published by any applicable professional associations and that are customary in the area of the Authority; and

(2) may not exceed any maximum provided by law.

6.3 Request for Qualifications. In order to evaluate the demonstrated competence and qualifications of prospective providers of professional services, the Authority shall invite prospective providers of professional services to submit their qualifications to provide such

services as specified in a Request for Qualifications ("RFQ") issued by the Authority. Each RFQ for professional services shall describe the services required by the Authority, the criteria used to evaluate Statements of Qualifications (SOQ), and the relative weight given to the criteria.

6.4 Notice of RFQs.

(a) Notice of the issuance of an RFQ for professional services must provide (1) the date, time, and place where responses to the RFQ must be submitted, (2) the contact or location from which prospective professional service providers may request the RFQ, and (3) a general description of the type of professional services being sought by the Authority. Alternatively, the Authority may publish or otherwise distribute, in accordance with these procedures, the RFQ itself in lieu of publishing a notice of RFQ. Neither a notice of an RFQ for professional services, nor any RFQ itself shall require the submission of any specific pricing information for the specific work described in the RFQ, and may only require information necessary to demonstrate the experience, qualifications, and competence of the potential provider of professional services.

(b) The Authority shall publish on its website all notices of the issuance of an RFQ and/or the entirety of the RFQ itself at least two (2) weeks prior to the deadline for the responses.

(c) The Authority may also publish notice of the issuance of an RFQ, or the content of the RFQ itself, in an issue of the *Texas Register*, and in newspapers, trade journals, or other such locations as the Authority determines will enhance competition for the provision of services.

(d) The date specified in the RFQ as the deadline for submission of responses may be extended if the Executive Director determines that the extension is in the best interest of the Authority.

6.5 Contract for Professional Services

(a) In procuring professional services, the Authority shall:

(1) first select the most highly qualified provider of those services on the basis of demonstrated competence and qualifications; and

(2) then attempt to negotiate with that provider a contract at a fair and reasonable price.

(b) If a satisfactory contract cannot be negotiated with the most highly qualified provider of professional services, the Authority shall:

(1) formally end negotiations with that provider;

(2) select the next most highly qualified provider; and

(3) attempt to negotiate a contract with that provider at a fair and reasonable price.

(c) The Authority shall continue the process described in this section to select and negotiate with providers until a contract is entered into or until it determines that the services are no longer needed or do not serve the best interests of the Authority.

6.6 Termination of Procurement. The Authority may terminate a procurement of professional services pursuant to this section 6 at any time upon a determination that a continuation of the process is not in the Authority's best interest.

6.7 Federally Funded Services. Notwithstanding anything to the contrary in the foregoing policies, when procuring professional services that will be paid or reimbursed with federal-aid highway program funding, the Authority shall comply with requirements and procedures set forth in 23 C.F.R. Part 172. This shall include, without limitation, utilizing a two-step procurement process.

SECTION 7. GENERAL GOODS AND SERVICES.

7.1 Approval of Board. Every procurement of general goods and services costing more than fifty thousand dollars ($50,000.00) shall require the approval of the Board, evidenced by a resolution adopted by the Board. A large procurement may not be divided into smaller lot purchases to avoid the dollar limits prescribed herein.

7.2 Purchase Threshold Amounts. The Authority may procure general goods and services costing fifty thousand dollars ($50,000.00) or less by such method and on such terms as the Executive Director determines to be in the best interests of the Authority. General goods and services costing more than fifty thousand dollars ($50,000.00) shall be procured using competitive bidding or competitive sealed proposals. A large procurement may not be divided into smaller lot purchases to avoid the dollar limits prescribed herein.

7.3 Competitive Bidding Procedures. Competitive bidding for general goods and services shall be conducted using the same procedures specified for the competitive bidding of construction contracts, except that:

(a) with respect to a particular procurement, the Executive Director may waive the qualification requirements for all prospective bidders;

(b) the Executive Director may waive the submission of payment or performance bonds (or both) and/or insurance certificates by the successful bidder if not otherwise required by law;

(c) notice of the procurement shall be published on the Authority's website and shall be published in an officially designated newspaper of the Authority at least once, with the first such notice published at least two (2) weeks before the deadline for the submission of responses;

(d) in addition to advertisement of the procurement as set forth in subsection 7.3(c) above, the Authority may solicit bids by direct mail, telephone, *Texas Register* publication, advertising in other locations, or via the Internet. If such additional solicitations are made, the prospective bidder may not be solicited by mail, telephone, internet, or in any other manner, nor may the prospective bidder receive bid documents until such time that the advertisement has appeared on the Authority's website or in an officially designated newspaper of the Authority; and

(e) a purchase may be proposed on a lump-sum or unit price basis. If the Authority chooses to use unit pricing in its notice, the information furnished to the bidder must specify the approximate quantities estimated on the best available information, but the compensation paid the bidder must be based on the actual quantities purchased.

7.4 Award Under Competitive Bidding.

(a) Contracts for general goods and services procured using competitive bidding shall be awarded to the lowest best bidder based on the same criteria used in awarding construction contacts, together with the following additional criteria:

(1) the quality and availability of the goods or contractual services to be provided and their adaptability to the Authority's needs and uses; and

(2) the bidder's ability to provide, in timely manner, future maintenance, repair parts, and service for goods being purchased.

(b) In accordance with Texas Government Code, Chapter 2252, Subchapter A, the Authority will not award a contract to a nonresident bidder unless the nonresident underbids the lowest best bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid the nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located.

7.5 Competitive Sealed Proposals.

(a) Request for Proposals. As an alternative to competitive bidding and at the discretion of the Authority, the Authority may solicit offers for provision of general goods and services by issuing a request for proposals ("RFP"). Each RFP shall contain the following information:

(1) the Authority's specifications for the good or service to be procured;

(2) an estimate of the various quantities and kinds of services to be performed and/or materials to be furnished;

(3) a schedule of items for which unit prices are requested, if applicable;

(4) the time within which the contract is to be performed;

(5) any special provisions and special specifications; and

(6) if applicable, the Authority's goals regarding the participation in the contract or in subcontracts let under the contract by Disadvantaged Business Enterprises.

The Authority shall give public notice of an RFP in the manner provided for requests for competitive bids for general goods and services.

(b) Opening and Filing of Proposals; Public Inspection. The Authority shall avoid disclosing the contents of each proposal on opening the proposal and during negotiations with competing offerors. The Authority shall file each proposal in a register of proposals, which, after a contract is awarded, is open for public inspection unless the register contains information that is excepted from disclosure as public information.

(c) Revision of Proposals. After receiving a proposal but before making an award, the Authority may permit an offeror to revise its proposal to obtain the best final offer. The Authority may discuss acceptable or potentially acceptable proposals with offerors to assess an offeror's ability to meet the solicitation requirements. The Authority may not disclose information derived from proposals submitted from competing offerors. The Authority shall provide each offeror an equal opportunity to discuss and revise proposals.

(d) Refusal of All Proposals. The Authority shall refuse all proposals if none of those submitted is acceptable.

(e) Contract Execution. The Authority shall submit a written contract to the offeror (the "first-choice candidate") whose proposal is the most advantageous to the Authority, considering price and the evaluation factors in the RFP. The terms of the contract shall incorporate the terms set forth in the RFP and the proposal submitted by the first-choice candidate, but if the proposal conflicts with the RFP, the RFP shall control unless the Authority elects otherwise. If the Authority and the first-choice candidate cannot agree on the terms of a contract, the Authority may elect not to contract with the first-choice candidate, and at the exclusive option of the Authority, may submit a contract to the offeror ("second-choice candidate") whose proposal is the next most favorable to the Authority. If agreement is not reached with the second-choice candidate, the process may be continued with other offerors in like manner, but the Authority shall have no obligation to submit a contract to the next highest-ranked offeror if the Authority determines at any time during the process that none of the remaining proposals is acceptable or otherwise within the best interest of the Authority.

7.6 Proprietary Purchases. If the Executive Director finds that the Authority's requirements for the procurement of a general good or service describe a product that is proprietary to one vendor and do not permit an equivalent product to be supplied, the Authority may solicit a bid for the general good or service solely from the proprietary vendor, without using the competitive bidding

or competitive proposal procedures. The Executive Director shall justify in writing the Authority's requirements and shall submit the written justification to the Board. The written justification must (1) explain the need for the specifications; (2) state the reason competing products are not satisfactory; and (3) provide other information requested by the Board.

SECTION 8. CONSULTING SERVICES.

8.1 Contracting for Consulting Services. The Authority may contract for consulting services if the Executive Director reasonably determines that the Authority cannot adequately perform the services with its own personnel.

8.2 Selection Criteria. The Authority shall base its selection on demonstrated competence, knowledge, and qualifications and on the reasonableness of the proposed fee for the services.

8.3 Contract Amounts. The Authority may procure consulting services anticipated to cost no more than fifty thousand dollars ($50,000.00) by such method and on such terms as the Executive Director determines to be in the best interests of the Authority. Without limiting the foregoing, the Executive Director may, subject to section 8.9 below, procure consulting services anticipated to cost no more than fifty thousand dollars ($50,000.00) pursuant to a "single-source contract," if the Executive Director determines that only one prospective consultant possesses the demonstrated competence, knowledge, and qualifications to provide the services required by the Authority at a reasonable fee and within the time limitations required by the Authority. Consulting services anticipated to cost more than fifty thousand dollars ($50,000.00) shall be procured by the Authority's issuance of a Request for Qualifications ("RFQ") or a Request for Proposals ("RFP") as the Authority deems appropriate.

8.4. Request for Qualifications. Each RFQ prepared by the Authority shall invite prospective consultants to submit their qualifications to provide such services as specified in the RFQ. Each RFQ shall describe the services required by the Authority, the criteria used to evaluate proposals, and the relative weight given to the criteria.

8.5. Request for Proposals. Each RFP shall contain the following information:

(a) the Authority's specifications for the service to be procured;

(b) an estimate of the various quantities and kinds of services to be performed;

(c) a schedule of items for which unit prices are requested, if applicable;

(d) the time within which the contract is to be performed;

(e) any special provisions and special specifications; and

(f) if applicable, the Authority's goals regarding the participation in the contract or in subcontracts let under the contract by Disadvantaged Business Enterprises.

8.6 Notice of Procurement and Solicitation of Responses.

(a) Notice of the issuance of an RFQ or RFP must provide (1) the date, time, and place where responses to the RFQ or RFP will be opened, (2) the address and telephone number from which prospective proposers may request the RFQ or RFP, and (3) a general description of the type of services being sought by the Authority. Alternatively, the Authority may publish and otherwise distribute, in accordance with these procedures, the RFQ or RFP itself in lieu of publishing a notice of issuance of an RFQ or RFP.

(b) Notice of the issuance of an RFQ or RFP, or the content of the RFQ or RFP itself, shall be posted on the Authority's website and shall be published in an officially designated newspaper of the Authority at least once, with the first such notice published at least two (2) weeks before the deadline for the submission of responses.

(c) The Authority may, but shall not be required to, solicit responses to a RFQ or RFP by direct mail, telephone, advertising in trade journals or other locations, or via the Internet. If such additional solicitations are made, the prospective bidder may not be solicited by mail, telephone, internet, or in any other manner, nor may the prospective bidder receive bid documents, until such time that notice of the RFQ or RFP has been made available on the Authority's website or published in an officially designated newspaper of the Authority.

(d) The date specified in the RFQ or RFP as the deadline for submission of responses may be extended if the Executive Director determines that the extension is in the best interest of the Authority. All responses, including those received before an extension is made, must be opened at the same time.

8.7 Opening and Filing of Responses: Public Inspection. The Authority shall avoid disclosing the contents of each response to an RFQ on opening the response and during negotiations with competing respondents. The Authority shall file each response in a register of responses, which, after a contract is awarded, is open for public inspection unless the register contains information that is excepted from disclosure under the Texas Public Information Act or other applicable law.

8.8 Contract Negotiation and Execution.

(a) With regard to consulting services procured through issuance of an RFQ, the Authority shall submit a written contract to the respondent (the "first-choice candidate") whose response best satisfies the Authority's selection criteria. If the Authority and the first-choice candidate cannot agree on the terms of a contract, the Authority may terminate negotiations with the first-choice candidate, and, at the exclusive option of the Authority, the Authority may enter into contract negotiations with the respondent ("second-choice candidate") whose response is the next most favorable to the Authority. If agreement is not reached with the second-choice candidate, the process may be continued with other respondents in like manner, but the Authority shall have no obligation to submit a contract to the next highest-ranked respondent if the Authority determines that none of the remaining responses is acceptable or that continuing with the procurement is not within the best interest of the Authority.

(b) With regard to consulting services procured through issuance of an RFP, the Authority shall submit a written contract to the offeror (the "first-choice candidate") whose proposal is the most advantageous to the Authority, considering price and the evaluation factors in the RFP. The terms of the contract shall incorporate the terms set forth in the RFP and the proposal submitted by the first choice candidate, but if the proposal conflicts with the RFP, the RFP shall control unless the Authority elects otherwise. If the Authority and the first choice candidate cannot agree on the terms of a contract, the Authority may elect not to contract with the first choice candidate, and at the exclusive option of the Authority, may submit a contract to the offeror ("second-choice candidate") whose proposal is the next most favorable to the Authority. If agreement is not reached with the second choice candidate, the process may be continued with other offerors in like manner, but the Authority shall have no obligation to submit a contract to the next highest-ranked offeror if the Authority determines at any time during the process that none of the remaining proposals is acceptable or otherwise within the best interest of the Authority.

8.9 Single-Source Contracts. If the Executive Director determines that only one prospective consultant possesses the demonstrated competence, knowledge, and qualifications to provide the services required by the Authority at a reasonable fee and within the time limitations required by the Authority, consulting services from that consultant may be procured without issuing an RFQ or RFP; provided, however, that the Executive Director shall justify in writing the basis for classifying the consultant as a single-source and shall submit the written justification to the Board. The justification shall be submitted for Board consideration prior to contracting with the consultant if the anticipated cost of the services exceeds fifty thousand dollars ($50,000.00). If the anticipated cost of services is less than fifty thousand dollars ($50,000.00), the Executive Director, with the prior approval of the Executive Committee, may enter into a contract for services and shall submit the justification to the Board at its next regularly scheduled board meeting.

8.10 Prior Employees. Except as otherwise provided by state or federal law or for those employment positions identified in a resolution of the Board, nothing shall prohibit the Authority from procuring consulting services from an individual who has previously been employed by the Authority or by any other political subdivision of the state or by any state agency; provided, that if a prospective consultant has been employed by the Authority, another political subdivision, or a state agency at any time during the two years preceding the making of an offer to provide consulting services to the Authority, the prospective consultant shall disclose in writing to the Authority the nature of his or her previous employment with the Authority, other political subdivision, or state agency; the date such employment was terminated; and his or her annual rate of compensation for the employment at the time of termination.

8.11 Mixed Contracts. This section 8 applies to a contract that involves both consulting and other non-professional services if the primary objective of the contract is the acquisition of consulting services.

SECTION 9. COMPREHENSIVE DEVELOPMENT AGREEMENTS.

9.1 Comprehensive Development Agreements Allowed. If specifically authorized by an applicable statute, the Authority may enter into a CDA with a private entity to construct, maintain,

repair, operate, extend, or expand a transportation project. A CDA shall, at a minimum, provide for the design and construction of a transportation project, may also provide for the financing, acquisition, maintenance, or operation of a transportation project, and shall entitle the private entity to a leasehold interest in the transportation project or the right to operate or retain revenue from the operation of the transportation project. The Authority is also allowed to negotiate provisions relating to professional and consulting services provided in connection with a CDA.

9.2 Competitive Procurement Process For CDA. The Authority may either accept unsolicited proposals relating to a CDA or solicit proposals relating to a CDA in accordance with this section 9. The competitive bidding requirements for highway projects as specified under Chapter 223, Texas Transportation Code, and the Texas Professional Services Procurement Act (Chapter 2254, Texas Government Code) do not apply to a CDA. The CDA procurement process may also provide for the submission of alternative technical concepts ("ATCs") and value added concepts ("VACs") from proposers.

9.3 Unsolicited Proposals.

(a) The Authority may, at its sole option, accept unsolicited proposals for a project authorized by statute to be developed through a CDA. An unsolicited proposal must be filed with the Authority and shall be accompanied by a $20,000.00 non-refundable review fee. An unsolicited proposal shall include the following information:

(1) the proposed transportation project location, scope, and limits;

(2) information regarding the proposing entity's qualifications, experience, technical competence, and capability to develop the project;

(3) a proposed financial plan for the proposed project that includes, at a minimum, (A) projected project costs, and (B) proposed sources of funds; and

(4) the identity of any member of, or proposed subconsultant for, the proposing entity or team who is also performing work, directly or as a subconsultant, for the Authority.

(b) Unsolicited proposals shall be reviewed by the Authority staff. The staff may request additional information from the proposer. Based on its review, the staff will make an initial recommendation to the Board (or a designated committee thereof) as to whether the Authority should authorize further evaluation of the unsolicited proposal.

(c) If the Authority authorizes further evaluation of an unsolicited proposal, then the Authority shall publish a request for qualifications ("RFQ") in accordance with the requirements of section 9.4. Evaluation of proposals submitted in response to RFQs shall occur in accordance with the provisions of section 9.5.

9.4 Authority Solicitation of Proposals and Competing Proposals; Requests for Qualifications. The Authority may solicit proposals or competing proposals by issuing an RFQ relating to a CDA project. The Authority shall publish an RFQ (or notice of availability of an RFQ) in the *Texas Register* and post it on the Authority's website.

(a) An RFQ issued by the Authority shall include the following information:

(1) a description of the project;

(2) criteria used to evaluate the proposals;

(3) the relative weight given to the criteria; and

(4) the deadline by which proposals must be received by the Authority.

(b) A proposal submitted in response to an RFQ issued under this section 9.4, or a competing proposal submitted in response to an RFQ issued under section 9.3(c) above, must include, at a minimum, the following:

(1) information regarding the proposer's qualifications, experience, technical competence, and capability to develop the project;

(2) a proposed financial plan for the proposed project that includes, at a minimum, (A) projected project costs, and (B) proposed sources of funds;

(3) such additional information that the Authority requests within the RFQ;

(4) the identity of any member of, or proposed subconsultant for, the proposing entity or team who is also performing work, directly or as a subconsultant, for the Authority; and

(5) in the case of a competing proposal submitted in response to an RFQ published by the Authority after receipt of an unsolicited proposal, a $20,000 non-refundable proposal review fee.

(c) The Authority may withdraw an RFQ at any time, and may then publish a new RFQ in accordance with this section 9.4.

9.5 Evaluation of Proposals Submitted in Response to a Request For Qualifications.

(a) The Authority shall review responses to an RFQ submitted in accordance with section 9.4 based on the criteria described in the RFQ. The Authority shall evaluate all proposals received, and shall determine which proposers qualify to submit detailed proposals in accordance with the requirements of section 9.6. The Authority may include an interview as part of its evaluation process. (b) The Authority must qualify at least two (2) private entities to submit detailed proposals in accordance with the procedures under section 9.6, unless the Authority does not receive more than one (1) proposal in response to an RFQ. If only one (1) entity responds to an

RFQ (or no entity submits a response to an RFQ issued after receipt of an unsolicited proposal) the Authority may request a detailed proposal from, and may attempt to negotiate a CDA with, the sole proposer.

9.6 Requests For Detailed Proposals.

(a) The Authority shall issue a request for detailed proposals ("RFDP") from all proposers qualified in accordance with section 9.5 above. The Authority shall provide an RFDP directly to the proposer, and such RFDP must contain the following information:

(1) detailed instructions for preparing the technical proposal and items to be included;

(2) the process for submission of ATCs and/or VACs and the manner in which they will be considered in the evaluation and scoring process;

(3) the relative weighting of the technical and price proposals and the criteria for evaluating and ranking them;

(4) the stipulated amount to be paid to unsuccessful proposers subject to section 9.12 below, if any; and

(5) the deadline by which proposals must be received.

(b) An RFDP under this section 9.6 shall require proposers to submit a sealed technical proposal and a separate sealed cost proposal. An RFDP under this section 9.6 may require proposers to provide information relating to the following:

(1) the proposer's qualifications and demonstrated technical competence;

(2) the feasibility of developing the project as proposed;

(3) detailed engineering or architectural designs;

(4) the proposer's ability to meet schedules;

(5) costing methodology; and

(6) any other information the Authority considers relevant or necessary to fully assess the project.

(c) The Authority may withdraw a RFDP at any time prior to the submission deadline for detailed proposals. In such event the Authority shall have no liability to the entities chosen to submit detailed proposals.

(d) In developing and preparing to issue a RFDP in accordance with section 9.6(a), the Authority may solicit input from entities qualified under section 9.5 or any other person.

(e) After the Authority has issued a RFDP under section 9.6(a) but prior to the submission of RFDP responses, the Authority may solicit input from the proposers regarding ATCs and/or VACs.

9.7 Evaluation and Ranking of Detailed CDA Proposals. The Authority shall first open, evaluate, and score each technical proposal based on criteria set forth in the RFDP. The Authority shall subsequently open, evaluate, and score each cost proposal based on criteria set forth in the RFDP. Based on the weighting of technical and cost proposals described in the RFDP, the Authority shall then identify the proposer whose proposal offers the best value to the Authority. The Authority may interview the proposers as part of its evaluation process.

9.8 Post-Submissions Discussions.

(a) After the Authority has evaluated and ranked the detailed proposals in accordance with section 9.7, the Authority may enter into discussions with the proposer whose proposal offers the apparent best value, provided that the discussions must be limited to incorporation of aspects of other detailed proposals for the purpose of achieving the overall best value for the Authority; clarifications and minor adjustments in scheduling, designs, operating characteristics, cash flow, and similar items; and other matters that have arisen since the submission of the detailed proposal.

(b) If at any point in discussions under subsection 9.8(a) above, it appears to the Authority that the highest-ranking proposal will not provide the Authority with the overall best value, the Authority may end discussions with the highest-ranking proposer and enter into discussions with the proposer submitting the next-highest ranking proposal.

(c) If, after receipt of detailed proposals, the Authority determines that development of a project through a CDA is not in the best interest of the Authority, or the Authority determines for any other reason that it does not desire to continue the procurement, the Authority may terminate the process and, in such event, it shall not be required to negotiate a CDA with any of the proposers.

9.9 Negotiations for CDA. Subsequent to the discussions conducted pursuant to section 9.8 and provided the Authority has not terminated or withdrawn the procurement, the Authority and the highest-ranking proposer shall attempt to negotiate the specific terms of a CDA.

(a) The Authority shall prescribe the general form of the CDA and may include any matter therein considered advantageous to the Authority.

(b) The Authority may establish a deadline for the completion of negotiations for a CDA. If an agreement has not been executed within that time, the Authority may

terminate the negotiations, or, at its discretion, may extend the time for negotiating an agreement.

(c) In the event an agreement is not negotiated within the time specified by the Authority, or if the parties otherwise agree to cease negotiations, the Authority may commence negotiations with the second-ranked proposer or it may terminate the process of pursuing a CDA for the project which is the subject of the procurement process.

(d) Notwithstanding the foregoing, the Authority may terminate the procurement process, including the negotiations for a CDA, at any time upon a determination that continuation of the process or development of a project through a CDA is not in the Authority's best interest. In such event, the Authority shall have no liability to any proposer beyond the payment provided for under section 9.12 if detailed proposals have been submitted to the Authority.

9.10 CDA Projects with Private Equity Investment.

(a) If a project to be developed through a CDA involves an equity investment by the proposer, the terms to be negotiated by the Authority and the proposer may include, but shall not be limited to:

(1) methods to determine the applicable cost, inflation indices, profit, and project distribution between the proposer and the Authority;

(2) reasonable methods to determine and classify toll rates or user fees;

(3) acceptable safety and policing standards; and

(4) other applicable professional, consulting, construction, operational and maintenance standards, expenses and costs.

(b) The Authority may only enter into a CDA with private equity investment if permitted by law and if the project that is the subject of the CDA is identified in TxDOT's unified transportation program or is located on a transportation corridor identified in a statewide transportation plan.

(c) The Authority may not incur a financial obligation for a private entity that constructs, maintains, or operates a transportation project. A CDA must include a provision authorizing the Authority to purchase the interest of a private equity investor in a transportation project.

9.11 Authority Property Subject to a CDA. A transportation project (excluding a public utility facility) that is the subject of a CDA is public property and belongs to the Authority, provided that the Authority may lease rights-of-ways, grant easements, issue franchises, licenses, permits, or any other lawful form of use to enable a private entity to construct, operate, and maintain a transportation project, including supplemental facilities. At the termination of any such agreement,

the transportation project shall be returned to the Authority in a state of maintenance deemed adequate by the Authority and at no additional cost to the Authority.

9.12 Payment For Submission of Detailed CDA Proposals.

(a) The Authority may pay an unsuccessful proposer that submits a detailed proposal in response to a RFDP under section 9.6 a stipulated amount of the final contract price for any costs incurred in preparing that detailed proposal. If a payment is to be made, the amount may not exceed the lesser of the amount identified in the RFDP or the value of any work product contained in the proposal that can, as determined by the Authority, be used by the Authority in the performance of its functions. Use by the Authority of any design element contained in an unsuccessful detailed proposal is at the sole risk and discretion of the Authority and does not confer liability on the recipient of the stipulated amount under this section.

(b) After payment of the stipulated amount, if any, the Authority shall own the exclusive rights to, and may make use of, any work product contained in the detailed proposal, including technologies, techniques, methods, processes, and information contained in the project design. In addition, the work product contained in the proposal becomes the property of the Authority.

9.13 Confidentiality of Negotiations for CDAs. The Authority shall use its best efforts to protect the confidentiality of information generated and/or submitted in connection with the process for entering into a CDA to the extent permitted by Transportation Code §370.307. The Authority shall notify any proposer whose information submitted in connection with the process for entering into a CDA is the subject of a Public Information Act request received by the Authority.

9.14 Performance and Payment Security.

(a) The Authority shall require any private entity entering into a CDA to provide a performance and payment bond or an alternative form of security in an amount sufficient to insure the proper performance of the agreement and to protect the Authority and payment bond beneficiaries who have a direct contractual relationship with the private entity and subcontractors of the private entity who supply labor or materials. A performance or payment bond or alternative form of security shall be in an amount equal to the cost of constructing or maintaining the project, provided that if the Authority determines that it is impracticable for a private entity to provide security in such amount, the Authority shall set the amount of the bond or alternative form of security.

(b) An alternative form of security may not be utilized unless requested by the private entity proposing to enter into a CDA. Such request shall include an explanation as to why an alternative form of security is appropriate, the form of alternative security to be utilized, and the benefits and protections provided to the Authority through use of the requested form of alternative security. A decision on whether to accept alternative forms of security, in whole or in part, shall be at the sole discretion of the Authority.

(c) A payment or performance bond or alternative form of security is not required for that portion of a CDA that includes only design or planning services, the performance of preliminary studies, or the acquisition of real property.

(d) In no event may the amount of the payment security be less than the performance security.

(e) Alternative forms of security may be permitted or required in the following forms:

(1) a cashier's check drawn on a financial entity specified by the Authority;

(2) a U.S. Bond or Note;

(3) a irrevocable bank letter of credit; or

(4) any other form of security determined suitable by the Authority.

9.15 Legal Sufficiency Review. The Authority may require a private entity engaged in post-submission discussions or negotiations with the Authority concerning a proposed CDA to pay for or reimburse the Authority for an examination fee assessed in connection with the legal sufficiency review required by section 371.051, Transportation Code. The Authority may elect to make the cost of the examination fee non-refundable in the event that the CDA is not executed.

SECTION 10. DESIGN-BUILD AND DESIGN-BUILD FINANCE AGREEMENTS.

10.1 Design-Build and Design-Build Finance Agreements Allowed. The Authority may use the design-build or design-build-finance method to procure the design, construction, financing, expansion, extension, related capital maintenance, rehabilitation, alternation, or repair of a transportation project. The Authority may not, however, enter into more than two design-build or design-build-finance agreements in any fiscal year.

10.2 Competitive Procurement Process For Design-Build and Design-Build-Finance Agreements. The Authority must solicit proposals for a design-build or design-build-finance agreement in accordance with this section 10. The Professional Services Procurement Act does not apply to a design-build or design-build-finance agreement. The design-build or design-build-finance procurement process may also provide for the submission of alternative technical concepts ("ATCs") and value added concepts ("VACs") from proposers.

10.3 Use of Engineer and Other Professional Services. The Authority must select or designate an engineer or a qualified engineering firm that is independent of the design-build contractor to act as the Authority's representative during the procurement of a design-build or design-build-finance agreement. The engineer representative may be an engineer that is an employee of the Authority; the Authority's general engineering consultant, if any; or a qualified engineer or engineering firm hired by the Authority pursuant to the Professional Services Procurement Act. Additionally, the authority must provide for (through existing engineering resources), or contract for, inspection services, construction materials engineering and testing, and verification testing services independent of the design-build contractor. Any engineer or firm selected

pursuant to this section 10.3 must be selected in accordance with the Professional Services Procurement Act and this Policy.

10.4 Requests for Qualifications. The Authority must solicit proposals for a design-build or design-build-finance agreement by issuing a Request for Qualifications ("RFQ"). The Authority shall publish the RFQ (or notice of availability of the RFQ) in the *Texas Register* and post it on the Authority's website.

(a) An RFQ issued by the Authority shall include the following information:

(1) information regarding the proposed project's location, scope, and limits;

(2) information regarding funding that may be available for the project and a description of the financing to be requested from the design-build contractor, as applicable;

(3) the criteria that will be used to evaluate the proposals, which must include the proposer's qualifications, experience, technical competence, and ability to develop the project;

(4) the relative weight given to the criteria; and

(5) the deadline by which proposals must be received by the Authority.

(b) The Authority may withdraw an RFQ at any time, and may then publish a new RFQ in accordance with this section 10.4.

10.5 Evaluation of Proposals Submitted in Response to a Request For Qualifications.

(a) The Authority shall review responses to an RFQ submitted in accordance with section 10.4 based on the criteria described in the RFQ. The Authority shall evaluate all proposals received, and shall determine which proposers qualify to submit detailed proposals in accordance with the requirements of section 10.6. The Authority may include an interview as part of its evaluation process.

(b) The Authority must qualify at least two (2) but no more than five (5) private entities to submit detailed proposals in accordance with the procedures under section 10.6, unless the Authority does not receive more than one (1) proposal in response to an RFQ. If only one (1) entity responds to an RFQ the Authority shall terminate the procurement process.

10.6 Requests For Detailed Proposals.

(a) The Authority shall issue a request for detailed proposals ("RFDP") to all proposers qualified or short-listed in accordance with section 10.5 above. The Authority shall provide a RFDP directly to the proposer, and such RFDP must contain the following information:

(1) information on the overall project goals;

(2) the Authority's cost estimates for the design-build portion of the work;

(3) materials specifications;

(4) special material requirements;

(5) a schematic design approximately 30 percent complete;

(6) known utilities;

(7) quality assurance and quality control requirements;

(8) the location of relevant structures;

(9) notice of the Authority rules or goals related to awarding of contracts to disadvantaged businesses;

(10) available geotechnical or other detailed instructions for preparing the information related to the project;

(11) the status of the environmental review process;

(12) detailed instructions for preparing the technical proposal, including a description of the form and level of completeness of drawings expected;

(13) the relative weighting of the technical and cost proposals and the formula by which the proposals will be evaluated and ranked;

(14) the criteria and weighting for each element of the technical proposal;

(15) any risks or costs to be assumed by the design-build contractor and associated with scope changes and modifications, unknown or differing site conditions, environmental clearance and other regulatory permitting, and natural disasters and other force majeure events ;

(16) a general form of the design-build or design-build-finance agreement; and

(17) the deadline by which proposals must be received, which shall be no more than 180 days after the issuance of the final RFDP.

(b) A RFDP under this section 10.6 shall require proposers to submit a sealed technical proposal and a separate sealed cost proposal. The cost proposal shall be weighted at least 70 percent in the formula for evaluating and ranking proposals. A technical proposal under this section 10.6 must address the following:

(1) the proposer's qualifications and demonstrated technical competence (exclusive of information included in the proposer's response to the RFQ);

(2) the feasibility of developing the project as proposed, including identification of anticipated problems and proposed solutions, the ability of the proposer to meet deadlines, and the conceptual engineering design proposed.

(c) A cost proposal under this section 10.6 must include:

(1) the cost of delivering the project;

(2) the estimated number of days required to complete the project; and

(3) any terms for financing for the project that the proposer plans to provide.

(d) The Authority may withdraw a RFDP at any time prior to the submission deadline for detailed proposals. In such event the Authority shall have no liability to the entities chosen to submit detailed proposals.

(e) In developing and preparing to issue a RFDP in accordance with section 10.6(a), the Authority may solicit input from entities qualified under section 10.5 or any other person.

(e) If the Authority provides for the submission of ATCs and/or VACs, the Authority shall establish a process for submission and review of ATCs and/or VACs prior to submission of a technical proposal. Only those ATCs and/or VACs approved by the Authority may be included in an entity's technical proposal. The Authority shall notify a proposer whether its ATCs and/or VACs are approved for inclusion in the technical proposal.

(f) The Authority may conduct meetings with or interview proposers submitting a response to an RFDP.

10.7 Evaluation and Ranking of Detailed Design-Build and Design-Build Finance Proposals. The Authority shall first open evaluate, and score each responsive technical proposal based on criteria set forth in the RFDP. The Authority shall subsequently open, evaluate, and score each cost proposal based on criteria set forth in the RFDP. The Authority shall then rank the proposers in accordance with the formula provided in the RFDP.

10.8 Unapproved Changes to Team. The Authority may reject as nonresponsive a proposal that makes a significant change to the composition of the proposer's design-build team as initially submitted that was not approved by the Authority.

10.9 Contract Negotiations.

(a) After the Authority has evaluated and ranked the detailed proposals in accordance with section 10.7, the Authority shall first attempt to negotiate a contract with the highest-ranked proposer. If the Authority is unable to negotiate a satisfactory contract with the highest-ranked proposer, the Authority shall, formally and in writing, end negotiations with that proposer and proceed to negotiate with the next proposer in the order of the selection ranking until a contract is reached or negotiations with all ranked proposers end.

(b) If the RFDP provides for payment of a stipend to unsuccessful proposers, the Authority may include in the negotiations ATCs and/or VACs approved for inclusion in RFDP responses of other proposers.

(c) The Authority may establish a deadline for the completion of negotiations for a design-build or design-build-finance agreement. If an agreement has not been executed within that time, the Authority may terminate the negotiations, or, at its discretion, may extend the time for negotiating an agreement.

(d) In the event an agreement is not negotiated within the time specified by the Authority, or if the parties otherwise agree to cease negotiations, the Authority may commence negotiations with the second-ranked proposer or it may terminate the process of pursuing a design-build or design-build-finance agreement for the project which is the subject of the procurement process.

(e) Notwithstanding the foregoing, the Authority may terminate the procurement process at any time upon a determination that continuation of the process or development of a project through a design-build or design-build-finance agreement is not in the Authority's best interest. In such event, the Authority shall have no liability to any proposer beyond the payment provided for under section 10.9 if detailed proposals have been submitted to the Authority.

10.10 Payment For Submission of Detailed Design-Build or Design-Build-Finance Proposals.

(a) Pursuant to the provisions of an RFDP, the Authority shall pay an unsuccessful proposer that submits a detailed proposal in response to a RFDP a stipend for work product contained in the proposal. The stipend must be specified in the RFDP and must be at least two-tenths of one percent of the contract amount, provided that the stipend shall not exceed the value of the work product contained in the proposal to the Authority.

(b) After payment of the stipend, the Authority may make use of, any work product contained in the detailed proposal, including techniques, methods, processes, and information contained in the proposal. In addition, the work product contained in the proposal becomes the property of the Authority.

10.11 Confidentiality of Negotiations for Design-Build and Design-Build-Finance Agreements. The Authority shall use its best efforts to protect the confidentiality of information generated and/or submitted in connection with the process for entering into a design-build or design-build-finance agreement to the extent permitted by law. The Authority shall notify any proposer whose information submitted in connection with the process for entering into a design-build or design-build-finance agreement is the subject of a Public Information Act request received by the Authority.

10.12 Performance and Payment Security.

(a) The Authority shall require a design-build contractor to provide a performance and payment bond, an alternative form of security, or a combination of a performance and payment bond and alternative security in an amount equal to the cost of constructing or maintaining the project. If, however, the Authority determines that it is impracticable for a private entity to provide security in such amount, the Authority shall set the amount of the bond or alternative form of security.

(b) A payment or performance bond or alternative form of security is not required for that portion of a design-build or design-build-finance agreement that includes only design services only.

(c) Alternative forms of security may be permitted or required in the following forms:

(1) a cashier's check drawn on a financial entity specified by the Authority;

(2) a U.S. Bond or Note;

(3) an irrevocable bank letter of credit drawn from a federal or Texas chartered bank; or

(4) any other form of security determined suitable by the Authority.

SECTION 11. PARTICIPATION IN STATE AND COOPERATIVE PURCHASING PROGRAMS; AND INTERGOVERNMENTAL AGREEMENTS.

11.1 Voluntary GSC Program. Pursuant to and in accordance with § 2155.204 of the Government Code and Subchapter D, Chapter 271 of the Local Government Code, the Authority may request the Texas Building and Procurement Commission ("TBPC") to allow the Authority to participate on a voluntary basis in the program established by TBPC by which the TBPC performs purchasing services for local governments.

11.2 Catalog Purchase of Automated Information Systems. Pursuant to and in accordance with § 2157.067 of the Government Code, the Authority may utilize the catalogue purchasing procedure established by the TBPC with respect to the purchase of automated information systems.

11.3 Cooperative Purchases. Pursuant to and in accordance with Subchapter F, Chapter 271 of the Local Government Code, the Authority may participate in one or more cooperative purchasing programs with local governments or local cooperative programs.

11.4 Interlocal Agreements with TxDOT or Other Governmental Entities. Subject to limitations imposed by general law, the Authority may enter into interlocal agreements with TxDOT or another governmental entity to procure goods and services.

11.5 Effect of Procurements Under Section 11. Purchases made through the TBPC, a cooperative program, or by interlocal agreement shall be deemed to have satisfied the procurement requirements of this Policy and shall be exempted from the procurement requirements contained in this Policy.

SECTION 12. EMERGENCY PROCUREMENTS.

12.1 Emergency Procurement Procedures. The Authority may employ alternate procedures for the expedited award of construction contracts and to procure goods and services to meet emergency conditions in which essential corrective or preventive action would be unreasonably hampered or delayed by compliance with the foregoing rules. Types of work which may qualify for emergency contracts include, but are not limited to, emergency repair or reconstruction of streets, roads, highways, building, facilities, bridges, toll collection systems and other Authority property; clearing debris or deposits from the roadway or in drainage courses within the right of way; removal of hazardous materials; restoration of stream channels outside the right of way in certain conditions; temporary traffic operations; and mowing to eliminate safety hazards.

(a) Before a contract is awarded under this section, the Executive Director or his or her designee must certify in writing the fact and nature of the emergency giving rise to the award.

(b) To be eligible to bid on an emergency construction and building projects, a contractor must be qualified to bid on TxDOT construction or maintenance contracts or be pre-qualified by the Authority to bid on Authority construction or building contracts.

(c) A bidder need not be qualified or pre-qualified by the Authority to be eligible to bid on emergency non-construction or non-building projects.

(d) After an emergency is certified, if there are three or more firms qualified to bid on the contract as reflected by the Authority's files, the Authority will send bid documents for the work to at least three qualified contractors. The Authority will notify recipients of the bid documents of the date and time by which the bids must be submitted and when the bids will be opened, read, and tabulated. The Authority will also notify the recipients of any expedited schedule and information required for the execution of the contract. Bids will be opened, read, and tabulated, and the contract will be awarded, in the manner provided in the other subsections of this Policy as required to procure construction contracts or general goods and services, as the case may be.

SECTION 13. DISPOSITION OF SALVAGE OR SURPLUS PERSONAL PROPERTY.

13.1 Sale by Bid or Auction. The Authority may periodically sell the Authority's salvage or surplus personal property by competitive bid or auction. Salvage or surplus personal property may be offered as individual items or in lots at the Authority's discretion.

13.2 Trade-In for New Property. Notwithstanding subsection 13.1, the Authority may offer salvage or surplus personal property as a trade-in for new property of the same general type if the Executive Director considers that action to be in the best interests of the Authority.

13.3 Heavy Equipment. If the salvage or surplus personal property is earth-moving, material-handling, road maintenance, or construction equipment, the Authority may exercise a repurchase option in a contract in disposing of such types of property. The repurchase price of equipment contained in a previously accepted purchase contract is considered a bid under subsection 13.1.

13.4 Sale to State, Counties, etc. Notwithstanding subsection 13.1 above, competitive bidding or an auction is not necessary if the purchaser is the State or a county, municipality, or other political subdivision of the State. The Authority may accept an offer made by the State or a county, municipality, or other political subdivision of the State before offering the salvage or surplus personal property for sale at auction or by competitive bidding.

13.5 Failure to Attract Bids. If the Authority undertakes to sell property under subsection 13.1. and is unable to do so because no bids are made for the property, the Executive Director may order such property to be destroyed or otherwise disposed of as worthless. Alternatively, the Executive Director may cause the Authority to dispose of such property by donating it to a civic, educational or charitable organization located in the State.

13.6 Terms of Sale. All salvage or surplus personal property sold or otherwise disposed of by the Authority shall be conveyed on an "AS IS, WHERE IS" basis. The location, frequency, payment terms, inspection rights, and all other terms of sale shall be determined by the Authority in its sole and absolute discretion.

13.7 Rejection of Offers. The Authority or its designated representative conducting a sale of salvage or surplus personal property may reject any offer to purchase such property if the Executive Director or the Authority's designated representative finds the rejection to be in the best interests of the Authority.

13.8 Public Notices of Sale. The Authority shall publish the address and telephone number from which prospective purchasers may request information concerning an upcoming sale in at least two issues of an officially designated newspaper of the Authority, or any other newspaper of general circulation in each county of the Authority, and the Authority may, but shall not be required to, provide additional notices of a sale by direct mail, telephone, or via the internet.

SECTION 14. SOLICITATION OF EMPLOYEE APPLICANTS

14.1 Solicitation of Employee Applicants. In conjunction with efforts to solicit applicants for available employment positions with the Authority, Authority staff shall follow the solicitation and application guidelines set forth in this section 14 in order to (1) provide notice of the employment position opening, (2) provide a method of allowing potential applicants to receive

detailed information regarding particular criteria and requirements for the individual employment position, and (3) provide information related to any application deadlines or extensions of deadlines.

14.2 Solicitation of Applicants for Professional or Managerial Positions. In order to reach the largest potential pool of qualified applicants for employment positions that are either professional or managerial in nature, Authority staff shall post information regarding potential employment opportunities, detailed position descriptions, and requirements for applications for professional or managerial staff positions in the following manner:

(a) Notice of employment position openings with the Authority shall be published on the Authority's website, and shall include: (1) employment position title; (2) a general description of position duties and responsibilities; (3) educational and prior work experience requirements; (4) the statement that the Authority is an equal opportunity employer; (5) materials required to be submitted for position applications; (6) the physical mailing address and/or e-mail address for submitting application materials; and (7) the telephone number for questions regarding the employment position description and/or application process.

(b) Notice of employment position openings with the Authority may be published in an officially designated newspaper of the Authority, the *Texas Register*, trade journals, and other sources that the Authority determines are appropriate for contacting potentially qualified applicants. In addition, the Authority may, but shall not be required to, solicit potential applicants by direct mail, telephone, or via the Internet.

(c) The application deadline specified in the notice of employment position opening may be extended if the Executive Director determines that the extension is in the best interest of the Authority.

14.3 Solicitation of Administrative or Clerical Applicants. Authority staff shall post information regarding potential employment opportunities, detailed position descriptions, and requirements for application for administrative or clerical staff positions in the following manner:

(a) Notice of employment position openings with the Authority shall be published on the Authority's website, and shall include: (1) employment position title; (2) a general description of position duties and responsibilities; (3) educational and prior work experience requirements; (4) the statement that the Authority is an equal opportunity employer; (5) materials required to be submitted for position applications; (6) the physical mailing address and/or e-mail address for submitting application materials; and (7) the telephone number for questions regarding the position description or application process. Authority staff may include any and all of the required information listed in (1)-(7) above in a standard employment application form issued by the Authority.

(b) Notice of employment position openings with the Authority may be published in an officially designated newspaper of the Authority and in such other places that the Authority determines are appropriate for contacting potentially qualified applicants. In addition, the Authority may, but shall not be required to, solicit potential applicants by direct mail, telephone, or via the Internet.

(c) The application deadline specified in the notice of employment position opening may be extended if the Executive Director determines that the extension is in the best interest of the Authority.

SECTION 15. DISPUTE RESOLUTION PROCEDURES.

The Authority shall have the general ability and authority, when negotiating the terms and conditions of any contract to be entered into with any entity, to negotiate for the inclusion of dispute resolution procedures in such contract. Such dispute resolution procedures may vary from contract to contract, provided that, at a minimum, the procedures require that a meeting of principles, mediation, and/or formal alternative dispute resolution procedures be followed before any party may file suit against, or initiate an arbitration proceeding against, the Authority for an alleged breach of contract claim.

4-D CONSIDERATION AND AUTHORIZATION TO AWARD BID FOR THE SH 550 SLOPE EROSION AND CONCRETE BARRIER INSTALLATION TO CLORE CONSTRUCTION

S&B INFRASTRUCTURE, LTD.

January 5, 2017

Mr. Pete Sepulveda, Jr.
Executive Director
Cameron County Regional Mobility Authority
3461 Carmen Avenue
Rancho Viejo, Texas 78575

Re: Letter of Recommendation for Award
SH550 Slope Erosion Repair and Concrete Barrier Installation
CCMRA Project No. 2016-M1-550

Dear Mr. Sepulveda,

On December 21, 2016, bids were received for the above referenced project in accordance with the procurement and advertisement notice published. A total of four (4) bids were received as presented in the Bid Opening Tabulation Summary attached.

S&BI has reviewed the various bids received for this project and have no objection in recommending the award of the contract to the most responsive bidder, that being Clore Construction, LLC. The bid prices for the Base Bid and Additive Alternative Bids from Clore Construction, LLC appear reasonable and within expectations to perform and complete the work.

In regards to Clore Construction LLC's bid submittal, all requested bid information appears to be in order including the bid bond, receipt of addenda, invitation to bid, notice to bidders, bid, references and other attachments (Attachments A thru I) pertaining to disclosures. One comment to be noted is that their Bid Table (Form E) presented did not include a "written call out" unit price for each bid item. Failure to not have the hand written unit price can be waived at your and/or the Board's discretion since all numerical calculations are correct, as presented.

We thank you for the opportunity to be of continued service to the CCRMA on this project. Please contact me at your convenience at (956) 925-5032 if you have any questions or need additional clarifications.

Sincerely,

Hector J. Lopez, P.E.
Project Manager

Attachment(s): Bid Opening Tabulation Summary

5408 North 10th Street McAllen, Texas 78504 956.926.5000 Fax 956.994.0427

CCRMA
CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

Bid Opening Tabulation Summary
Slope Erosion Repair & Concrete Barrier Installation
Bid No. 2016-M1-550
12/21/2016 4:01 PM

Firm Name	Base Bid Amount ($)	Additive Bid #1 Amount ($)	Additive Bid #2 Amount ($)	Base Bid + Additive Bid #1 Amount ($)	Base Bid + Additive Bid #2 Amount ($)	Base Bid + Additive Bids #1 & #2 Amount ($)	BID Guaranty/ Addendum
Diamond Eight Industries, LLC	$ 317,035.90	$ 27,399.00	$ 46,775.80	$ 344,434.90	$ 363,811.70	$ 391,210.70	Yes
G&T Paving, LLC	$ 476,700.20	$ 34,267.00	$ 34,520.00	$ 510,967.20	$ 511,220.20	$ 545,487.20	Yes
Clore Construction, LLC	$ 226,664.13	$ 31,111.35	$ 24,905.55	$ 257,775.48	$ 251,569.68	$ 282,681.03	Yes
RM Walsdorf, Inc.	$ 447,685.30	$ 64,413.14	$ 35,439.54	$ 512,098.44	$ 483,124.84	$ 547,537.98	Yes
Engineer's Estimate	$ 196,463.00	$ 26,974.25	$ 18,364.83	$ 223,437.25	$ 214,827.83	$ 241,802.08	

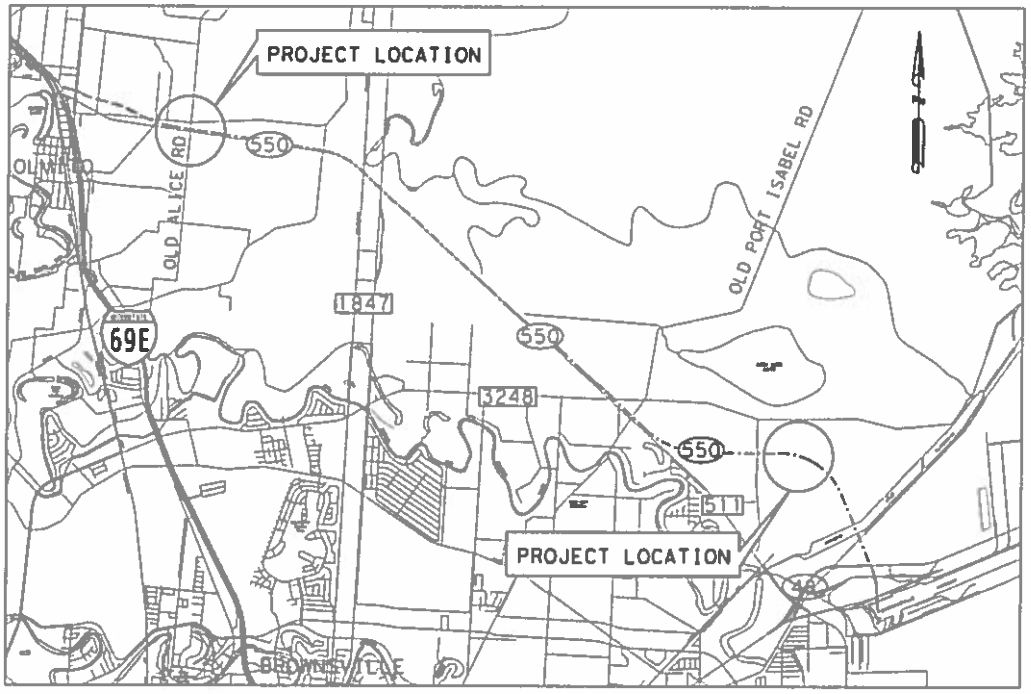
S&B
S&B INFRASTRUCTURE, LTD.

4-E CONSIDERATION AND APPROVAL OF WORK AUTHORIZATION NO. 8 WITH S&B INFRASTRUCTURE FOR CONSTRUCTION MANAGEMENT OVERSIGHT AND INSPECTION FOR THE SH 550 SLOPE EROSION AND CONCRETE BARRIER INSTALLATION PROJECT

WORK AUTHORIZATION NO. 8

This Work Authorization is made as of this 13th day of January, 2017, under the terms and conditions established in the AGREEMENT FOR GENERAL CONSULTING ENGINEERING SERVICES, dated as of November 1, 2014 (the "Agreement"), between the Cameron County Regional Mobility Authority ("Authority") and S&B Infrastructure, Ltd. ("GEC"). This Work Authorization is made for the following purpose, consistent with the services defined in the Agreement.

Professional services including:



Section A. - Scope of Services

A.1 GEC shall perform the Services:

Reference Exhibit 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.

N/A

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

Reference Exhibit 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:

January 2017 thru June 2017 – Construction Supervision and Management, including:

- Field inspector site visits/inspections three (3) times a week for ½ day during project duration; and,
- Field engineer site visits/inspections once a week for ½ day during project duration.
- Perform management activities related to Contractor's request for clarifications, submittal reviews, project progress meetings, review of material testing reports, review of contractor's progress payment requests, and other related activities.

This Work Authorization No. 8 shall become effective **January 13, 2017** and shall terminate on **June 30, 2017**, unless extended by a Supplemental Work Authorization.

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 $44,124.50 based on the attached fee estimate as shown in Exhibit C. 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:

Reference Exhibit D – Authorities Responsibilities

Section E. - Other Provisions

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

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

Authority:	Cameron County Regional Mobility Authority	GEC:	S&B Infrastructure, Ltd.
By:	Frank Parker, Jr.	By:	Daniel O. Rios, P.E.
Signature:		Signature:	
Title:	Chairman	Title:	Senior Vice President
Date:	January 12, 2017	Date:	January 17, 2017

Exhibits:

Exhibit A – Services to be Provided by the GEC
Exhibit B – Work Schedule
Exhibit C – Fee Estimate
Exhibit D – Authorities Responsibilities

EXHIBIT A
SCOPE OF SERVICES

County: Cameron

Project: SH 550 Slope Erosion Control and Concrete Barrier Installation

Project No.: 2016-M1-550

Services – Project Understanding and Goals

I. Construction Management Oversight and Inspection

TASK 350 – CONSTRUCTION MANAGEMENT

A. Advise and assist the Authority and the construction manager on all matters of engineering related to interpretation of design details and requests for information (RFIs), construction techniques and procedures, 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, as applicable.

B. Advise and assist the authority and the construction manager in evaluating and resolving construction problems and providing guidance in matters relating to construction quality assurance.

C. Review laboratory tests and field tests of construction materials performed by the testing laboratory for verification and compliance to plans and specifications.

D. Review and recommend approval of progress payment requests, schedules, progress reports, and final payment requests, including certificates of completion, submitted by the testing engineer, geotechnical engineer, land surveyor, and all other consultants retained by the Authority to assist in designing and constructing the project.

E. Verify and certify final inspection reports of the completed construction issued by the construction manager and issue recommendations and certifications of completion of construction.

F. Compile and provide the Authority with Record Plans incorporating all construction revisions into the original "as bid" construction plans. Such Record Plans will be based on information furnished by the constructors to the construction manager showing the changes made during construction. The construction manager shall post the "as built" plan revision information it receives on the original tracings and/or digital plan designs. All standard drawings issued before or during construction and /or modified or supplemented during construction shall likewise be bound into tow (2) sets and delivered to the Authority.

EXHIBIT B

Work Schedule

Refer to Section B of Work Authorization.

PROJECT: SH 550 Slope Erosion Repair and Concrete Barrier Installation
CLIENT: CCRMA
CONTRACT: CCRMA - GEC
CSJ: None
COUNTY: Cameron
S & B JOB NO : 12799

01/06/17

EXHIBIT C – FEE SCHEDULE

ACTIVITY CODE	FUNCTION CODE	DESCRIPTION	FIRM	SERVICE	MAN-HOURS Principal	Director of QC/QA	Project Manager	Env Manager	Env Scientist	Env Tech	GIS Manager	Engineer Structural	Engineer (V)	Engineer (IV)	Engineer (III)	Project Inspector (I)	CADD Operator (I)	Secretary	TOTAL HRS	ESTIMATED FEE	TOTALS
	150	CONSTRUCTION PHASE SERVICES																			
061040		CONSTRUCTION SUPERVISION	S & B	SPECIAL															0	$0.00	
061040		Site Inspections (Inspector - 3 months - 1 time/a-week - 1/2 day inspections; Eng. - 3 months - 1 time/a-week - 1/2 day)	S & B	SPECIAL									48			144			192	$27,172.08	
061040		Material Testing	LAB	SPECIAL															0	$6,134.00	
061040		Construction Meetings (3 meetings)	S & B	SPECIAL			9						9						18	$4,452.30	
061040		Prepare Construction Meetings Notes	S & B	SPECIAL			3						9						6	$1,200.87	
061040		CONSTRUCTION MANAGEMENT	S & B	SPECIAL															0	$0.00	
061040		Project Manager (8 hrs/month)	S & B	SPECIAL			16												16	$3,137.36	
061040		Project Secretary (8 hrs/month)	S & B	SPECIAL														16	16	$1,300.00	
		Sub Total (150 - CONSTRUCTION PHASE SERVICES)			0	0	28	0	0	0	0	0	63	0	0	144	0	16	252		$40,500.30
		LABOR TOTALS																			$40,500.30
		Total Hours	MULTIPLIER		0	0	28	0	0	0	0	0	63	0	0	144	0	16	252		
		CONSTRUCTION MANAGEMENT	Totals		0.00	0.00	28.00	0.00	0.00	0.00	0.00	0.00	63.00	0.00	0.00	144.00	0.00	16.00			
		MAN HOURS (SUMMARY)			0.00	0.00	28.00	0.00	0.00	0.00	0.00	0.00	63.00	0.00	0.00	144.00	0.00	16.00			
	100	NON LABOR																			
00500		b Outside reproduction	S & B	BASIC																$0.00	
52400		e Travel - Mileage - Inspector during Construction	S & B	BASIC	Mileage per trip =		120	Trips =	36							Mileage Rate ($/mi) =	$ 0.56			$2,800.64	
52400		e Travel - Mileage - Project Management meetings	S & B	BASIC	Mileage per trip =		120	Trips =	12							Mileage Rate ($/mi) =	$ 0.56			$806.40	
52400		e Travel - Mileage - Meetings	S & B	BASIC	Mileage per trip =		60	Trips =	3							Mileage Rate ($/mi) =	$ 0.56			$101.20	
52400		e Travel - Mileage - Construction Bidding Phase	S & B	BASIC	Mileage per trip =		0	Trips =	0							Cost per Day =	$ 0.56			$0.00	
52400		e Travel - Rental Vehicle	S & B	BASIC				Days =	0							Rental per Day =	$ 75.00			$0.00	
		Sub Total (F.C. 100)																			$3,708.24
		PROJECT TOTAL																			$44,134.54

1/6/2017

EXHIBIT D
Authorities Responsibilities

The following provides an outline of the services to be provided by the **Authority** in the development of the **Project** for this work authorization. (The **Project** is further defined and more particularly identified in **Exhibit "A"** attached to this work authorization).

GENERAL

The **Authority** will provide to the **Engineer** the following:

(1) Provide **Engineer** with a Notice to Proceed.

(2) Payment for work performed by the **Engineer** and accepted by **Authority** in accordance with this Agreement.

(3) Assistance to the **Engineer**, as necessary, to obtain the required data and information from other local, regional, **State** and Federal agencies that the **Engineer** cannot easily obtain.

(4) Provide timely review and decisions in response to the **Engineer's** request for information and/or required submittals and deliverables, in order for the **Engineer** to maintain an agreed-upon work schedule.

(5) Provide all Pass-Through documents to the **Engineer** as needed.

4-F CONSIDERATION AND APPROVAL OF PURCHASING CONCRETE BARRIERS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE SH 550 SLOPE EROSION AND CONCRETE BARRIER INSTALLATION PROJECT

Texas Department of Transportation
600 W INTERSTATE 2 | PHARR, TEXAS 78577 | (956) 702 6100 | WWW.TXDOT.GOV

November 15, 2016

CMRRR 7011-1570-0000-3620-1606

Commissioner David A. Garza, Precinct 3
Cameron County Judge Pro Tem
1390 W. Expressway 83
San Benito, Texas 78586

Re: Request for Concrete Barriers

Dear Commissioner Garza:

We are in receipt of your letter dated November 14, 2016, in which you submitted a request for Concrete Barriers for the Cameron County Regional Mobility Authority. The request has been approved and will be available for pick up. The location to coordinate the pick-up of the materials, breakdown of the approved quantity and cost is as follows:

Mr. Celestino Hernandez Jr., Section Supervisor
Brownsville Maintenance
P.O. Box 3341
Brownsville, TX 78520
(956) 542-2288

Concrete Barriers (91 EA) – 2,730 LF @ $10.00/LF = $27,300.00

If I can be of further assistance please do not hesitate to contact me at (956) 702-6137.

Sincerely,

Rex A. Costley, P.E.
Director of Maintenance

cc: Juan Bosquez, P.E., San Benito Area Engineer
Celestino Hernandez Jr., Brownsville Maintenance Supervisor

4-G CONSIDERATION AND AUTHORIZATION TO REQUEST FOR QUALIFICATIONS (RFQ) FOR DESIGN, ENGINEERING AND CONSTRUCITON MANAGEMENT SERVICES FOR THE SH 550 GAP 2 PROJECT (TABLED)

4-H CONSIDERATION AND AUTHORIZATION FOR STAFF TO REQUEST FOR QUALIFICATIONS (RFQ) FOR ENVIRONMENTAL ASSESSMENT SERVICES AND RELATED ENGINEERING SERVICES TO INCLUDE SCHEMATICS FOR THE SH 32 (EAST LOOP) PROJECT (TABLED)

4-I CONSIDERATION AND APPROVAL OF A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY AND THE UNITED STATES SECTION OF THE INTERNATIONAL BOUNDARY AND WATER COMMISSION FOR THE SH 32 (EAST LOOP) PROJECT (TABLED)

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

SUPPLEMENTAL NOTICE
AGENDA

Regular Meeting of the Board of Directors
of the
Cameron County Regional Mobility Authority

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
09:58A
Document Number: 00000615
County Clerk
By
Diana Gomez, Deputy
Cameron County

Joe G. Rivera and Aurora de la Garza County Annex
1390 West 169E
San Benito, Texas 78586

Thursday, January 12, 2017

12:00 Noon

CONSENT ITEMS:

1. **All Item(s) under the Consent RMA Agenda are heard collectively unless opposition is presented, in which case the contested Item will be considered, discussed, and appropriate action taken separately**

   A. **Consideration and Approval of a Resolution approving the CCRMA'S Legislative Agenda for the 85th Legislature.**

EXECUTIVE SESSION

2. **Executive Session**

   A. **Deliberation and Discussion Concerning Personnel Issues, pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074.**

3. **Action Relative to Executive Session**

   A. **Possible Action.**

ADJOURNMENT:

Signed this 9th **day of January 2017**

Frank Parker Jr.

Frank Parker, Jr.
Chairman

NOTE:
Participation by Telephone Conference Call – One or more members of the CCRMA Board of Directors may participate in this meeting through a telephone conference call, as authorized by Sec. 370.262, Texas Transportation Code. 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 recorded. On conclusion of the meeting, the recording will be made available to the public.

1-A CONSIDERATION AND APPROVAL OF A RESOLUTION APPROVING THE CCRMA'S LEGISLATIVE AGENDA FOR THE 85TH LEGISLATURE

THE STATE OF TEXAS
COUNTY OF CAMERON

RESOLUTION

BE IT RESOLVED THAT ON THE 12TH DAY OF JANUARY 2017, THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS CONVENED IN REGULAR SESSION AND UPON THE REQUEST OF THE CAMERON COUNTY REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS SAID BOARD FOR SUCH MEETING, PURSUANT TO GOVERNMENT CODE SECTION 551.041 ET. SEQ., VERNON'S TEXAS CIVIL STATUTES (THE TEXAS OPEN MEETINGS ACT) THE FOLLOWING ITEM WAS PLACED ON THE AGENDA:

"CONSIDERATION AND APPROVAL OF A RESOLUTION APPROVING THE CCRMA'S LEGISLATIVE AGENDA FOR THE 85TH LEGISLATURE."

WHEREAS: the Cameron County Regional Mobility Authority (CCRMA) was created in 2004; and

WHEREAS: the CCRMA has a $2 billion system of projects that is developing utilizing different funding sources and legislative tools; and

WHEREAS: the 85th Legislature in the State of Texas will begin on January 10, 2017 and end on May 29, 2017; and

WHEREAS: the CCRMA has developed a list of legislative items that will be presented to State Legislators.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves the legislative agenda for the 85th Legislature and authorizes Chairman Parker to send the legislative agenda to State Legislators and whomever else is deemed appropriate.

APPROVED THIS 12TH DAY OF JANUARY, 2017.

CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

FRANK PARKER, JR.
CHAIRMAN

RUBEN GALLEGOS, JR.
VICE CHAIRMAN

DAVID N. GARZA
SECRETARY

absent
MICHAEL F. SCAIEF
TREASURER

MARK ESPARZA
DIRECTOR

NAT LOPEZ
DIRECTOR

HORACIO BARRERA
DIRECTOR

Cameron County Regional Mobility Authority
Legislative Priorities
85th Texas Legislative Session

The following is a list of the CCRMA's priorities for the 85th Texas Legislative Session:

1. **Preserve Existing Procurement and Financing Tools**: Current statutory authority for regional mobility authorities ("RMAs") provides tools which facilitate the efficient and economic development, financing, and operation of transportation projects under local control. Any effort to restrict or remove those tools will undermine the ability of RMAs to deliver critical infrastructure projects. Major new federal infrastructure programs could rely on public-private partnerships and other similar opportunities. The CCRMA will work to assure that such tools are preserved.

2. **CDA Authority:** Comprehensive development agreements ("CDAs") are a method to fund and deliver projects as the use of state funding to support toll projects is becoming increasingly restricted. A public-private partnership (through a CDA) may be the most feasible way to finance and develop certain projects.

The South Padre Island 2nd Access Project (the "SPI Project") and the Outer Parkway Project currently have CDA authorization, but that will expire on August 31, 2017. That authority has not yet been able to be utilized for either project because of the lengthy federal environmental review process, which is nearing completion and funding challenges. The CCRMA supports extending the CDA authority for the SPI Project and the Outer Parkway Project and supports adding the FM 1925 Project to those eligible for development through a CDA. The CCRMA further supports allowing metropolitan planning organizations ("MPOs") to approve the use of CDAs for projects in their region (rather than requiring specific legislative authorization).

3. **Eliminate Requirement for RMA's to Seek TxDOT Approval to Apply for Federal Funds:** Current law precludes an RMA from applying for federal highway or rail funds without the approval of TxDOT. Recent actions to increase funding (Prop 1 and Prop 7) have included restrictions on the use of state-controlled funds for toll projects, thus making reliance on federal funding more important. With the possibility of increased federal funding for infrastructure from a new administration (coupled with increased restrictions on use of state funds for toll projects), the CCRMA should be allowed to pursue funds from federal sources without requiring the consent of TxDOT. The statutory requirement for consent should be removed.

4. **Transportation Reinvestment Zones:** Transportation Reinvestment Zones ("TRZs") are an important tool for generating local funding for projects without raising taxes. Current law allows a city or county to assign TRZ revenues to an RMA to support the funding and development of an RMA project. However, recent Attorney General opinions and certain constitutional language have created issues related to a county's use of a TRZ to generate and leverage potential project funding. The CCRMA supports efforts to enhance the use of TRZs by counties and will support legislation, including a constitutional amendment, if necessary, to clarify the ability of counties to form a TRZ and to pledge TRZ revenues (or allow an RMA to pledge TRZ revenues) to secure bonds to pay the cost of a transportation project.