

**COUNTY OF CAMERON                      §**

RMA Minutes\April 13, 2010-Special\Page 1

## **AGENDA**

**Special Meeting of the Board of Directors  
of the  
Cameron County Regional Mobility Authority**

ACCEPTED FOR FILING  
CAMERON COUNTY

2010 APR -9 A 10:35

**Levis Building  
1390 W. Expressway 77  
San Benito, TX 78586**

JOE G. RIVERA  
COUNTY CLERK

**Tuesday, April 13, 2010**

**12:30 PM**

**I. Public Comments**

**CONSENT ITEMS:**

- II. Consideration and Approval of the Minutes for March 30, 2010 Special Meeting**
- III. Consideration and approval to bid Port Access Road**
- IV. Consideration and Approval of Revenue and Expenditure Report and Financials for the month of March 2010**
- V. Consideration and Approval of Interlocal Agreement between Cameron County Regional Mobility Authority and Cameron County**
- VI. Consideration and Approval of Right of Entry for the Garcia and Dougherty Family Tract for the San Benito Navigation District Port Road Project**

**ITEMS FOR DISCUSSION AND ACTION:**

- VII. Consideration and Acknowledgement of GEC Report for the month of March 2010**
- VIII. Consideration and Approval of Memorandum of Understanding between the Cameron County Regional Mobility Authority and Razorback L.L.C. DBA Diamondback Pipeline L.L.C. Razorback for the West Rail Project**
- IX. Discussion and Possible action regarding the Olmito Expansion Project**
- X. Discussion and Possible Action regarding the SH 550 Project**
- XI. Consideration and Approval of Supplemental No. 5 to Work Authorization No. 16 for the West Rail Project**

**XII. Discussion and Possible Action to re-implement the Comprehensive Development Agreement Procurement Process**

**EXECUTIVE SESSION ITEMS:**

**XIII. Executive Session:**

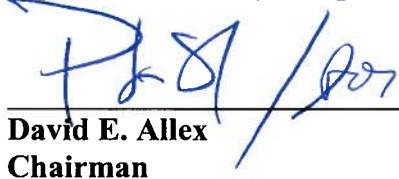
- A. Consultation with, and advice from Legal Counsel concerning negotiations and related contract issues with the Texas Department of Transportation regarding the Cameron County Regional Mobility Authority's projects, specifically SH 550 Toll Project and other legal issues affecting the authority, Pursuant to V.T.C.A. Government Code, Section 551.071 (2)**

**XIV. Action relative to Executive Session**

- A. Possible Action**

**XV. Adjournment**

**Signed this 9th day of April 2010**

  
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**David E. Allex**  
**Chairman**

## **PUBLIC COMMENTS**

### **I. PUBLIC COMMENTS**

None were presented.

## **CONSENT ITEMS**

**ALL ITEMS 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**

Upon motion by Director Garza, seconded by Director Alvarez and carried unanimously, Items II through VI listed below were approved as presented.

### **II. CONSIDERATION AND APPROVAL OF THE MINUTES FOR MARCH 30, 2010, SPECIAL MEETING**

### **III. CONSIDERATION AND APPROVAL TO BID PORT ACCESS ROAD**

### **IV. CONSIDERATION AND APPROVAL OF REVENUE AND EXPENDITURE REPORT AND FINANCIALS FOR THE MONTH OF MARCH 2010**

**The Reports are as follows:**

### **V. CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY REGIONAL MOBILITY AUTHORITY AND CAMERON COUNTY**

**The Agreement is as follows:**

### **VI. CONSIDERATION AND APPROVAL OF RIGHT OF ENTRY FOR THE GARCIA AND DOUGHERTY FAMILY TRACT FOR THE SAN BENITO NAVIGATION DISTRICT PORT ROAD PROJECT**

**The Right of Entry is as follows:**

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## **ACTION ITEMS**

### **VII. Consideration and Acknowledgement of GEC Report for the month of March 2010**

Mr. Richard Ridings introduced this item and went through the status of each project.

Director Garza moved to acknowledge the GEC Report for the month of March 2010. The motion was seconded by Director Villalobos and carried unanimously.

**The Report is as follows:**

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### **VIII. Consideration and Approval of Memorandum of Understanding between the Cameron County Regional Mobility Authority and Razorback, L.L.C. dba Diamondback Pipeline L.L.C. Razorback for the West Rail Project.**

Mr. Pete Sepulveda, RMA Coordinator, explained to the Board the need for this Memorandum of Understanding. In order to continue with the West Rail Project there is a need to relocate pipeline in one location and to adjust the pipeline in four other locations within easements currently held by Razorback LLC. Also, the Cameron County Regional Mobility Authority under the Memorandum of Understanding would agree to pay actual cost of relocating and/or adjusting the pipeline. This would include allowing Razorback, LLC to complete engineering plans and to provide for the orderly progress of the Project.

Director Scaief moved to approve the Memorandum of Understanding between the Cameron County Regional Mobility Authority and Razorback L.L.C. dba Diamondback Pipeline L.L.C. The motion was seconded by Director Alvarez and carried unanimously.

**The Memo of Understanding is as follows:**

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### **IX. Discussion and Possible Action regarding the Olmito Expansion Project**

Mr. Pete Sepulveda, RMA Coordinator introduced this item and gave a status report of the Olmito Expansion Project.

Director Garza moved to acknowledge the Staff Report on the Olmito Expansion Project. The motion was seconded by Director Alvarez and carried unanimously.

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**X. Discussion and Possible Action regarding the SH 550 Project**

Mr. Pete Sepulveda, RMA Coordinator introduced this item and gave a status report of the SH 550 Project.

Director Villalobos moved to acknowledge the Staff Report on the SH 550 Project. The motion was seconded by Director Alvarez and carried unanimously.

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**XI. Consideration and Approval of Supplemental No. 5 to Work Authorization No. 16 for the West Rail Project**

Mr. Richard Ridings with HNTB, introduced this item to the Board and explained to them that the purpose of this Supplemental Work Authorization is to prepare PS&E modification and provide a contract addendum for the West Rail Project.

Director Garza moved to approve Supplemental No. 5 to Work Authorization No. 16 for the West Project. The motion was seconded by Director Villalobos and carried unanimously.

**The Supplemental Work Authorization is as follows:**

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**XII. Discussion and Possible Action to re-implement the Comprehensive Development Agreement Procurement Process**

Mr. Richard Ridings with HNTB, introduced this item to the Board and explained to them the need to re-implement the Comprehensive Development Agreement Procurement Process. Mr. Ridings explained that we had gone through Phase I of the process and had received 43 letters of interest. The current CDA legislation expires on September 2011 and thus it is imperative that the Board start a discussion on how to proceed in funding projects that are environmentally cleared and those that will be environmentally cleared in the next 18 months.

Director Scaief moved to approve and re-implement the Comprehensive Development Agreement Procurement Process. The motion was seconded by Director Garza and carried unanimously.

## **EXECUTIVE SESSION**

### **XIII. Executive Session:**

- A. Consultation with, and advice from Legal Counsel concerning negotiations and related contract issues with the Texas Department of Transportation regarding the Cameron County Regional Mobility Authority's projects, specifically SH 550 Toll Project and other legal issues affecting the authority, Pursuant to V.T.C.A. Government Code, Section 551.071 (2)

Upon motion by Director Scaief, seconded by Director Garza and carried unanimously, this item was **TABLED**.

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### **XIV. ACTION RELATIVE TO EXECUTIVE SESSION:**

- A. Consultation with, and advice from Legal Counsel concerning negotiations and related contract issues with the Texas Department of Transportation regarding the Cameron County Regional Mobility Authority's projects, specifically SH 550 Toll Project and other legal issues affecting the authority, Pursuant to V.T.C.A. Government Code, Section 551.071 (2)

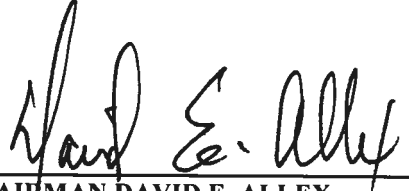
Upon motion by Director Scaief, seconded by Director Garza and carried unanimously, this item was **TABLED**.

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### **XV. ADJOURNMENT**

There being no further business to come before the Board and upon motion by Director Scaief, seconded by Director Garza and carried unanimously the meeting was **ADJOURNED** at 1:12 P.M.

APPROVED this 20<sup>th</sup> day of April, 2010.

  
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CHAIRMAN DAVID E. ALLEX

ATTESTED:

  
\_\_\_\_\_  
SECRETARY RUBEN GALLEGOS, JR.

**IV. CONSIDERATION ON APPROVAL OF REVENUE AND  
EXPENDITURE REPORT AND FINANCIALS FOR THE  
MONTH OF MARCH 2010**



## CAMERON COUNTY REGIONAL MOBILITY AUTHORITY

## Statement of Net Assets

March 31, 2010

<b>Assets:</b>		<u>2010</u>
Current assets:		
Cash and cash equivalents	\$	662,826
Accounts Receivable		-
Due from other agencies		<u>259,336</u>
Total current assets		<u>922,162</u>
Capital Assets: CWIP		
Prep Public Inv. Plan	-	
SPI 2nd. Causeway	1,408,835	
West Loop	1,382,331	
West Rail Relocation	-	
East Loop	-	
Port Spur	455,501	
SPI 2nd. Access, Eng., Env.	166,761	
West Parkway	61,573	
State Highway 550	794,307	
Construction work in progress		<u>4,269,307</u>
<b>Total assets</b>		<u><u>\$ 5,191,469</u></u>
<b>Liabilities:</b>		
Current liabilities:		
Accounts payable	\$	-
Due to other Entities		250,000
Deferred Revenue		286,663
Due to TxDot		<u>2,873,854</u>
Total current liabilities		<u>3,410,516</u>
<b>Total liabilities</b>		<u>3,410,516</u>
<b>Net assets:</b>		
Contributed Capital	-	
Aid from Other Govt./TxDot	-	
Net Assets		<u>1,780,953</u>
<b>Total net assets</b>		<u>1,780,953</u>
<b>Total liabilities and net assets</b>		<u><u>\$ 5,191,469</u></u>

**CAMERON COUNTY REGIONAL MOBILE AUTHORITY**  
**AS OF 03/31/2010**  
**Statements of Revenues & Expenditures**

	<u>2010</u>	
<u>OPERATING REVENUES</u>		
RMA Fees	\$ 782,456	
Interlocal Revenue	-	
Interest Income	<u>1,152</u>	
TOTAL OPERATING REVENUES		\$ 783,608
<u>OPERATING EXPENSES</u>		
Office Supplies	156	
Small Tools and Equipment	-	
Audit and Accounting	5,000	
Engineering	39,304	
Professional Services	185,027	
Travel	18,628	
Advertising	1,560	
Bonds	-	
Education & Training	-	
Aid to other Governments	-	
Contractual	<u>31,812</u>	
TOTAL OPERATING EXPENSES		281,488
<u>DEVELOPMENT PROGRAMS</u>		
Strategic Plan Development	-	
Public Involvement & Outreach	-	
West Rail Relocation	87,818	
North Rail Relocation	-	
East Loop Project	-	
RFI-Comp Dev Agree	-	
Olmito Yard PS & E	<u>190,573</u>	
TOTAL NON CWIP EXPENDITURES		<u>278,391</u>
CHANGE IN NET ASSETS		223,729
TOTAL NET ASSETS - Beginning of Year		<u>1,557,224</u>
TOTAL NET ASSETS - End of Year		<u><u>\$ 1,780,953</u></u>

**Cash Disbursement Journal By GL**  
**From 03/01/2010 To 03/31/2010**

1006660

<u>Fund Dept</u>	<u>Lnltm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Fund Total</u>	<u>Amount</u>
REGIONAL MOBILITY AU										
110 110	6040	0000158797	LONG CHILTON LLP	00235189	03/12/2010	03/12/2010	P148692	8013		5,000.00
									<b>Check Total</b>	5,000.00
110 110	6042	0000160653	HNTB CORP	00235562	03/18/2010	03/18/2010	P146961	49-40619-DS-025		5,000.00
									<b>Line Item Total</b>	5,000.00
									<b>Check Total</b>	39,303.50
110 110	6045	0000158797	LONG CHILTON LLP	00235189	03/12/2010	03/12/2010	P148692	8013		39,303.50
									<b>Line Item Total</b>	39,303.50
110 110	6045	0000119675	ROBINSON DUFFY & BARNARD L.L.P	00235285	03/12/2010	03/11/2010	P147957	C2010-068		2,000.00
									<b>Check Total</b>	2,000.00
									<b>Check Total</b>	2,500.00
110 110	6050	0000166064	GARCIA,DAVID	00234678	03/04/2010	03/04/2010		AUSTIN 2/24/10		4,500.00
									<b>Line Item Total</b>	162.25
110 110	6050			00235084	03/12/2010	03/11/2010		SAN ANTONIO 3/8		162.25
									<b>Check Total</b>	25.00
110 110	6050			00235558	03/18/2010	03/18/2010		EL PASO 3/11-12		25.00
									<b>Check Total</b>	35.44
110 110	6050	0000169595	PARKER & COMPANY	00234696	03/04/2010	03/04/2010		REIMB. 2/19/10		35.44
									<b>Check Total</b>	41.31
									<b>Check Total</b>	41.31
110 110	6082	0000154776	BETANCOURT,BLANCA	00234987	03/12/2010	03/11/2010				264.00
									<b>Line Item Total</b>	264.00
									MARCH CONTRACT	400.00
110 110	6082	0000089010	GALARZA,MARTHA	00235080	03/12/2010	03/11/2010				400.00
									<b>Check Total</b>	400.00
110 110	6082	0000166064	GARCIA,DAVID	00235084	03/12/2010	03/11/2010	P146100	MARCH CONTRACT		600.00
									<b>Check Total</b>	600.00
110 110	6082	0000160653	HNTB CORP	00235562	03/18/2010	03/18/2010	P147927	MARCH CONTRACT		2,083.33
									<b>Check Total</b>	2,083.33
110 110	6082	0000169613	PENA,JESUS MARTIN	00235257	03/12/2010	03/11/2010		49-40619-DS-024		1,962.15
									<b>Check Total</b>	1,962.15
110 110	6082	0000119900	ROBLES,MARIA A	00235286	03/12/2010	03/11/2010		MARCH CONTRACT		200.00
									<b>Check Total</b>	200.00
									<b>Check Total</b>	300.00
									<b>Check Total</b>	300.00

**Cash Disbursement Journal By GL**

From 03/01/2010 To 03/31/2010

1101100

<u>Fund Dept</u>	<u>LnItm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
110 110	6082	0000166843	SAENZ,PERLA J	00235299	03/12/2010	03/11/2010		MARCH CONTRACT	300.00
								<b>Check Total</b>	300.00
110 110	6082	0000161834	SAN MIGUEL,FRANCISCO	00235311	03/12/2010	03/11/2010		MAR CONTRACT	300.00
								<b>Check Total</b>	300.00
110 110	6082	0000127024	SEPULVEDA,PETE	00235318	03/12/2010	03/11/2010	P146101	MARCH CONTRACT	2,083.33
								<b>Check Total</b>	2,083.33
110 110	6082	0000155472	VEGA,DYLBIA JEFFERIES	00235383	03/12/2010	03/11/2010		MARCH CONTRACT	1,000.00
								<b>Check Total</b>	1,000.00
								<b>Line Item Total</b>	9,228.81
								<b>Dept. Total</b>	58,296.31

**Cash Disbursement Journal By GL**

From 03/01/2010 To 03/31/2010

1101107

<u>Fund Dept</u>	<u>Lnltm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
WEST LOOP ROAD									
110 1107	1166	0000160653	HNTB CORP	00234684	03/04/2010	03/04/2010	P139598	44-40619-PL-018	8,570.00
110 1107	1166			00234684	03/04/2010	03/04/2010	P139598	42-40619-PL-018	6,002.36
110 1107	1166			00234684	03/04/2010	03/04/2010	P139598	46-40619-PL-018	1,411.25
<b>Check Total</b>									15,983.61
<b>Line Item Total</b>									15,983.61
<b>Dept. Total</b>									15,983.61

**Cash Disbursement Journal By GL**

From 03/01/2010 To 03/31/2010

1101108

<u>Fund Dept</u>	<u>LnItm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
WEST RAILROAD RELOC									
110 1108	1166	0000161952	STEWART TITLE COMPANY	00234898	03/05/2010	03/04/2010	P148404	PARCEL 5/FILING	506.00
110 1108	1166			00234898	03/05/2010	03/04/2010	P148404	PARCEL 5/FILING	25,000.00
								<b>Check Total</b>	25,506.00
110 1108	6082	0000160653	HNTB CORP	00235562	03/18/2010	03/18/2010	P145292	49-40619-PL-008	25,506.00
								<b>Line Item Total</b>	11,791.05
								<b>Check Total</b>	11,791.05
								<b>Line Item Total</b>	11,791.05
								<b>Dept. Total</b>	37,297.05

**Cash Disbursement Journal By GL**

From 03/01/2010 To 03/31/2010

1101113

<u>Fund Dept</u>	<u>LnItm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
PORT SPUR									
110 1113	6045			00234684	03/04/2010	03/04/2010	P139379	46-40619-PL-013	20,580.53
								<b>Check Total</b>	20,580.53
								<b>Line Item Total</b>	20,580.53
								<b>Dept. Total</b>	20,580.53

Cash Disbursement Journal By GL

From 03/01/2010 To 03/31/2010

1101116

<u>Fund Dept</u>	<u>Lnltm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
WEST RAIL GEC SVC									
110	1116	1166		00234684	03/04/2010	03/04/2010	P137292	42-40619-PL-016	6,357.00
Check Total									6,357.00
Line Item Total									6,357.00
Dept. Total									6,357.00



**Cash Disbursement Journal By GL**

From 03/01/2010 To 03/31/2010

1101117

<u>Fund Dept</u>	<u>LnItm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
SPI 2nd ACCESS, ENG&ENV	110 1117 6042			00234684	03/04/2010	03/04/2010	P143205	46-40619-PL-017	68,089.96
								<b>Check Total</b>	68,089.96
								<b>Line Item Total</b>	68,089.96
								<b>Dept. Total</b>	68,089.96

Cash Disbursement Journal By GL

1101121

From 03/01/2010 To 03/31/2010

<u>Fund Dept</u>	<u>LnItem</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
SH 550									
110 1121	6082	0000169526	TEXAS DEPARTMENT OF TRANSPORTA	00235591	03/18/2010	03/18/2010	P148933	SH 550 1ST PMNT	347,657.38
<b>Check Total</b>									347,657.38
<b>Line Item Total</b>									347,657.38
<b>Dept. Total</b>									347,657.38

Cash Disbursement Journal By GL

1101123

From 03/01/2010 To 03/31/2010

<u>Fund Dept</u>	<u>LnItm</u>	<u>PEID</u>	<u>Vendor Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Post Date</u>	<u>PO #</u>	<u>Invoice #</u>	<u>Amount</u>
OLMITO YARD PS&T									
110 1123	6082	0000160653	HNTB CORP	00235562	03/18/2010	03/18/2010	P148893	49-40619-DS-023	36,752.60
Check Total									36,752.60
Line Item Total									36,752.60
Dept. Total									36,752.60

**V. CONSIDERATION ON APPROVAL OF INTERLOCAL  
AGREEMENT BETWEEN CAMERON COUNTY  
REGIONAL MOBILITY AUTHORITY AND CAMERON  
COUNTY**

STATE OF TEXAS            )  
                                      )  
CAMERON COUNTY            )

**INTERLOCAL COOPERATION AGREEMENT**

THIS AGREEMENT is entered into between the CAMERON COUNTY REGIONAL MOBILITY AUTHORITY, hereinafter referred to as "CCRMA" and COUNTY OF CAMERON, hereinafter referred to as "COUNTY" pursuant to V.T.C.A., Government Code, Chapter 791, cited as the Interlocal Cooperation Act

1. LOCATION OF PROJECT: Cameron County, Texas
2. PROJECT TO BE COMPLETED: To provide engineering and design services for the West Rail Relocation Project.
3. The funds for the above-mentioned work will be provided by Cameron County. Cameron County through TXDOT will provide funding for this scope of services. CCRMA will have its GEC perform the above-mentioned tasks.
4. COUNTY will keep a current advance funding agreement with TXDOT throughout the project.
5. The rules, regulations and orders of CCRMA shall govern this agreement and the parties agree the CCRMA shall supervise the performance of this agreement. It is also agreed that the CCRMA has the authority to employ personnel to engage in other administrative services necessary to fulfill the terms of this agreement.
7. The agreement shall have no legal force or effect until such time as it is properly adopted and approved by the CCRMA and the CAMERON COUNTY COMMISSIONERS COURT.

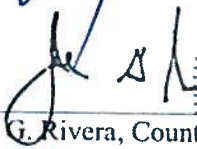
EXECUTED ON April 15 , 2010.

Attested by:

  
Ruben Gallegos, Jr., Secretary

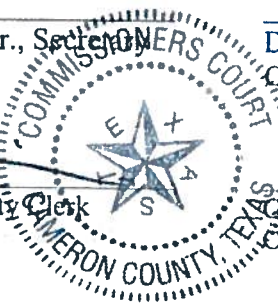
  
David E. Allex, CCRMA  
Chairman

Attested by:

  
Joe G. Rivera, County Clerk

  
Carlos H. Caseos, CPA, County Judge  
Cameron County

*Pro Tem*  
*David A. Garcia*



**VI. CONSIDERATION AND APPROVAL OF RIGHT OF  
ENTRY FOR THE GARCIA AND DOUGHERTY FAMILY  
TRACT FOR THE SAN BENITO NAVIGATION DISTRICT  
PORT ROAD PROJECT**

**PERMISSION TO ACCESS PROPERTY**

This is to signify that the below signed co-tenants (hereinafter referred to as "Landowner") hereby give to Cameron County Regional Mobility Authority (CCRMA), Port Isabel – San Benito Navigation District and the City of Port Isabel and each of them individually and jointly (hereinafter referred to as "Indemnitors") and their agents and employees permission to enter upon that area of land owned by members of the Garcia and Dougherty families located in the Santa Isabel Grant, Cameron County, Texas (depicted on Exhibit "A" attached hereto and incorporated herein for all purposes) for the limited purpose of conducting a preliminary route study for a possible roadway. Indemnitors shall have the right to conduct a survey of the land and conduct such other studies as may be needed to determine the feasibility of the land for a contemplated roadway. Indemnitors shall have no right to excavate or otherwise disturb the surface of the land.

Where used herein, the term "Indemnified Persons" or "Released Persons" shall include the following: The Landowner (whether one or more and including all persons and entities of whatsoever nature owning an interest in the Exhibit A area whether signatories hereto or not), the Landowner's heirs, representatives, agents, employees, the respective trustees of each of the Landowners, both individually and in their capacity as partners, trustees, members of any limited liability company or other entity, their employees, invitees, contractors and agents, and their successors and assigns, including but not limited to the beneficiaries of any trust of which a trustee is a Landowner, and to the holders of any interest in the premises, by, through and under the Landowner, or interest in the mineral estate, such as grantees of easements, and Lessees under oil, gas and mineral leases.

For full and adequate consideration the receipt and sufficiency of which is hereby acknowledged, Indemnitors shall defend, indemnify, and hold the Indemnified Persons harmless for any injury, or death, to any person or damage to property or to any claim of liability for any such injury, death or damage on or about the premises arising out of the ingress to, egress from, use of, presence upon, and occupancy of the premises, **INCLUDING, BUT NOT BY WAY OF LIMITATION, ANY NEGLIGENT ACT OR OMISSION OF ANY INDEMNIFIED PERSON, AND ANY ACT OR OMISSION WHICH MAY IMPOSE STRICT LIABILITY (BY STATUTE OR UNDER THE COMMON LAW) UPON ANY INDEMNIFIED PERSON,** or caused by any act or omission of Indemnitors, Indemnitors' agents, servants or employees, or any other person entering upon the premises with or without permission; and Indemnitors expressly agree to defend, indemnify and hold harmless any and all Indemnified Persons from any loss, expense or claim including attorney's fees (and also including attorney's fees incurred to enforce any indemnity under this agreement), arising out of, incidental to, or in anywise resulting from any such damage or injury, so caused.

**INDEMNITORS' OBLIGATION TO DEFEND, INDEMNIFY, AND HOLD THE INDEMNIFIED PERSONS HARMLESS SHALL APPLY WHETHER OR NOT AN**

Santa Isabel Grant  
1,139.41 Ac  
Cameron County, Texas

**INDEMNIFIED PERSON MAY BE GUILTY OF ANY NEGLIGENT ACT OR OMISSION, OR MAY BE STRICTLY LIABLE (BY STATUTE OR UNDER THE COMMON LAW) FOR THE CONSEQUENCES OF ANY ACT OR OMISSION, WHICH RESULTED IN OR CONTRIBUTED TO THE COST, EXPENSE OR LIABILITY AGAINST WHICH INDEMNITORS ARE OBLIGATED TO INDEMNIFY THE INDEMNIFIED PERSON OR PERSONS HEREUNDER.**

For full and adequate consideration the receipt and sufficiency of which is hereby acknowledged, Indemnitors release the Released Persons from liability for any damage or injury to the person or property of Indemnitors, Indemnitors' employees, agents, invitees, and licensees, which they or any of them may sustain from any and all sources or causes except where such damage or injury is exclusively caused by the willful act of such Released Persons. Indemnitors waive any consequential, punitive and exemplary damages, unless such waiver is specifically prohibited by statute. **INDEMNITORS' RELEASE HEREUNDER SHALL APPLY WHETHER OR NOT THE RELEASED PERSONS MAY BE GUILTY OF ANY NEGLIGENT OR GROSSLY NEGLIGENT ACT OR OMISSION, OR MAY BE STRICTLY LIABLE (BY STATUTE OR UNDER THE COMMON LAW) FOR THE CONSEQUENCE OF ANY ACT OR OMISSION, WHICH RESULTED IN OR CONTRIBUTED TO THE COST, EXPENSE OR LIABILITY OF WHICH AND FROM WHICH INDEMNITORS ARE OBLIGATED TO RELEASE THE RELEASED PERSONS HEREUNDER.**

This agreement shall commence upon the execution and delivery of this Permission by Landowner and Indemnitors and shall terminate July 1, 2010; however, the indemnity and release contained herein shall survive the termination of this agreement.

If any provision of this instrument is determined to be invalid or unenforceable, such determination shall not affect the validity of the remainder of this instrument, which shall be enforceable in accordance with its terms.

The signatories of this permission make no representation to anyone that they have the authority to act in any capacity other than for themselves individually unless stated otherwise adjacent to their signature.

Signed this 25<sup>th</sup> day of March, 2010.

Isabel H. Vergara  
Member of M.E. Garcia Family

\_\_\_\_\_  
Member of M.F. Garcia Family

\_\_\_\_\_  
Member of J. A. Garcia Family



Santa Isabel Grant

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Signed this 28 day of MAR, 2010.

\_\_\_\_\_  
Member of M.E. Garcia Family

Tomas Ty...  
\_\_\_\_\_  
Member of M.F. Garcia Family

\_\_\_\_\_  
Member of J. A. Garcia Family

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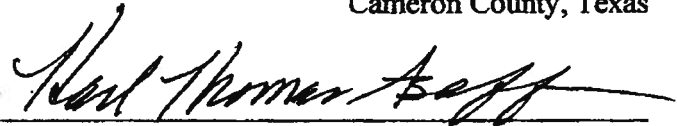
Signed this 29<sup>th</sup> day of March, 2010.

\_\_\_\_\_  
Member of M.E. Garcia Family

\_\_\_\_\_  
Member of M.F. Garcia Family

  
\_\_\_\_\_  
Member of J. A. Garcia Family

Santa Isabel Grant  
1,139.41 Ac  
Cameron County, Texas



Member of Thomas Family

Member of Dougherty Family

ACCEPTED:

Cameron County Regional Mobility Authority

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Port Isabel – San Benito Navigation District

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

City of Port Isabel

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Santa Isabel Grant  
1,139.41 Ac  
Cameron County, Texas

Member of Thomas Family

Ben F. Jaboran III 3-30-10  
Member of Dougherty Family

ACCEPTED:

Cameron County Regional Mobility Authority

By: David E. Allert  
Name: David E. Allert  
Title: CCRMA Chairman

Port Isabel -- San Benito Navigation District

By: Robert Cornelison  
Name: Robert CORNELISON  
Title: PORT DIRECTOR  
by BOARD ACTION

City of Port Isabel

By: Joe Vega  
Name: Joe Vega  
Title: Mayor

**VII. CONSIDERATION AND ACKNOWLEDGEMENT OF  
GEC REPORT FOR THE MONTH OF MARCH 2010**



Pete Sepulveda Jr.  
CCRMA Coordinator  
Cameron County Regional Mobility Authority  
1100 East Monroe Street  
Brownsville, TX 78520

April 9, 2010

Dear Mr. Sepulveda,

The following is a summary of our progress on the subject projects for the month of March 2010.

**Project Management:**

**General GEC**

- Prepared contract correspondence and monthly GEC progress report.
- Prepared & submitted CCRMA GEC Invoice for work performed on Work Authorization Nos. 7, 8, 13, 15, 16, 17, 21, 23, 25 and 26.
- Updated and submitted February 2010 GEC work authorization status report.
- On March 4, Richard Ridings and Eddie Garcia attended the Special Board Meeting. Mr. Ridings presented various agenda items.
- On March 30, Richard Ridings and Van Short attended a Special Board Meeting. Mr. Ridings presented various agenda items.
- On March 24, Bobby Balli and Larry Shumway conducted a tour in the Austin area with Cameron County staff Marty Pena and Franco San Miguel. Staff visited offices of Caseta, Municipal Services Bureau and TTA and were able to experience the toll integration process and witness first hand toll equipment and personnel necessary for the collection of tolls.
- On March 24, Richard Ridings conducted a financing meeting at the HNTB Austin office with Pete Sepulveda, Mike Weaver, Travis James, John Hockenyos, David Gordon, and Van Short.
- HNTB continues to attend numerous meetings and correspond with RMA staff and others to support the RMA's efforts.

**FM 509 Project (Work Authorization No. 5)**

*The FM 509 project is a relief route around the north and east areas of the City of Harlingen that would construct an extension of FM 509, in Cameron County, from US 77 to the Intersection with FM 508. The proposed facility would consist of a four-lane roadway with directions of travel separated by a center median. Dependent upon traffic projections, an interim facility with fewer lanes may initially be constructed. Interchanges or grade separations would be constructed at major thoroughfares. As proposed, the right-of-way would be 300-feet wide (usual) and sufficient to accommodate future transportation needs; however, any future improvements would be subject to environmental review. This could include bicycle and pedestrian facilities, general purpose lanes, truck lanes, or some combination of these modes.*

- TxDOT notified CCRMA this project was placed on hold due to the projected low traffic counts on the proposed 300 foot transportation corridor. TxDOT transmitted new traffic numbers. Further discussion with TxDOT is pending before continuing the

environmental process for the recommended alignment of the proposed FM 509 route. HNTB is currently developing a Work Authorization for preliminary development of the Outer Parkway. This project would provide a greater economic benefit to the area and establish a corridor along similar alignment yet would continue along the North side of Cameron County to the future SPI 2<sup>nd</sup> Access. The north-south section of FM 509 would be studied once the east-west Outer Parkway is identified. FM 509 environmental studies, constraint data, Lidar survey data, and right of way information can be utilized for this endeavor.

**West Parkway Project:**

*The proposed West Parkway is a new location facility and will provide a four-lane controlled access parkway with interchanges and connections at strategic locations and grade separation structures for several crossing streets in Brownsville. The majority of the project alignment falls within or in the vicinity of the existing Union Pacific Railroad right-of-way. Negotiations are underway to relocate the railroad and donate the right-of-way to the county for the project.*

**West Parkway EA/Schematic (Work Authorization No. 7):**

*This Work Authorization provides for the development of a Schematic and Environmental Assessment based on the project design developed by TxDOT and detailed in the value engineering report.*

- Revisions to the schematic and EA due to design changes resulting from public comment and typical section changes will require additional study and design/work that is above and beyond the current scope of the approved Work Authorization.
- Detailed schematic work was on hold in March until the supplement was approved.
- SWA No. 4 to WA No. 7 was approved by the Board on March 30; thus, allowing HNTB to proceed with updates/revisions to the EA.

**West Parkway Public Involvement (Work Authorization No. 18):**

*This Work Authorization provides community involvement services through a series of neighborhood meetings, focus group meetings, and one on one meetings to develop a two-way dialogue with the public to inform them of the need and purpose of the project and to gather their ideas on how the West Parkway can become a valuable community asset.*

- This effort is complete and the contract is closed. No payment for this effort has been received.

**West Rail (Work Authorization No. 16):**

*This Work Authorization provides additional professional services and deliverables for the West Rail Relocation project. Work includes utility coordination and evaluation, siphon extension design, DHS building site items, and surveying.*

- HNTB received signed approval from USACE for the West Rail PCN (including the wetland mitigation site and plan).
- Coordination with utility owners with conflicts along the West Rail alignment is ongoing. HNTB has received approval from TxDOT on proof of eligibility and construction cost estimates for Brownsville Public Utilities Board (BPUB), AEP Transmission, and Valley Municipal Utility District #2 (VMUD) and have been forwarded to the County for processing.
- TransMontaigne has hired a consultant (STV) to design the adjustments along the West Rail project. A kickoff meeting with STV is scheduled for April 9<sup>th</sup> in Houston.

- Cameron County Irrigation District #6 has approved the plans for the siphons and siphon extension within their irrigation canal. It is anticipated that the Irrigation District will receive board approval in early April.
- Coordination with the Department of Homeland Security is ongoing. DHS has provided specifications for fencing and lighting along the limits of the West Rail Bridge over the Rio Grande River. HNTB is in discussions with DHS on the impacts to the railroad and bridge.

**West Rail Relocation International Coordination (Work Authorization No. 8):**

*This Work Authorization provides appropriate subconsultant(s) for staff coordination with the Mexican agencies to monitor and determine project schedules, permit requirements, funding technical agreements and design for the West Rail Relocation around Brownsville, Texas. The project plans will require approval by Secretaría de Comunicaciones y Transportes (SCT), Comisión Internacional de Límites Y Aguas (CILA) and Kansas City Southern Mexico (KCSM).*

- After numerous meetings with the SCT, the transportation agency has approved the Rail bridge design and plans and specifications necessary for the improvements. The SCT's approval has been forwarded to the required regulatory agencies (CILA, CONAGUA, and CNA). Arturo de las Fuentes assisted the SCT in facilitating meetings with the necessary Financing agencies that are involved with the approval of the reimbursement of funds.
- Right of Way acquisition on the along the proposed Mexican alignment is reported to be 93% complete and is part of this reimbursement process.
- With the bridge design and levee relocation approved, a meeting was held with CILA, CONAGUA and CNA to discuss the necessary Right of Way acquisition for the location of the new levee alignment.
- Arturo de las Fuentes assisted in negotiation of the agreement between SCT and KCSM. The draft document has been reviewed by both parties and comments from both parties are being considered and incorporated.
- Meetings between the UPRR, KCSM and the B&M Bridge Company representatives were also held to discuss the continuation of operation and maintenance of the existing bridge and responsibilities for the new international bridge. A subsequent meeting will take place once the agreement between SCT and KCSM is signed.
- The 33<sup>rd</sup> Technical Review meeting was held on March 19<sup>th</sup> to review project advances on both sides of the border.

**TxDOT Project Development Agreement for I69 CDA (Work Authorization No. 13):**

*This Work Authorization provides support to the Authority and its Legal and Financial Advisors in the development of a Project Development Agreement (PDA) between the Authority and TxDOT concerning the development of the SH 550, West Parkway, and US 77 Improvements projects*

- The SH 550 PDA was approved by TxDOT.
- A meeting was held on March 24 with Pete Sepulveda and David Garcia to discuss financing options for the system including SH 550, West Parkway and US 77.
- The GEC continues to develop information and attend meetings as needed to support these discussions and to support continue implementation of SH 550, and the West Parkway project.

**SH 550 Re-Evaluation (Work Authorization No. 15 & Supplements 1&2&3):**

*This Work Authorization provides professional services and deliverables in support of the CCRMA's development of the SH 550 toll project from US 77/83 to State Highway 48 and the*



proposed entrance to the Port of Brownsville. Work includes the preparation of an Environmental Assessment Re-evaluation focusing on the effects of tolling the project, preparation of a wetlands report, and development of a mitigation plan/Section 404 permit application. Supplements 2 & 3 included the mitigation design and re-evaluation of the EA to include the mitigation site.

- GEC continued to coordinate with Corps of Engineers, the Port of Brownsville and TxDOT to refine the mitigation plan/advance the permit application.
- On March 17, 2010, the CCRMA received the proffered SH 550 Section 404 from the USACE.
- GEC reviewed the proffered Section 404 permit and provided comments to CCRMA.
- CCRMA executed and returned the Section 404 permit to the USACE which in turn countersigned the permit. The permit is now fully executed and effective.
- All task items for this work authorization are complete. The permits require follow up items and continued coordination efforts.

**SH 550 Toll Systems Integration and Design (Work Authorization No. 21 & Sup 1 & 2):**

This Work Authorization provides professional services and deliverables in support of the CCRMA's tolling of the SH 550 from US 77/83 to State Highway 48 and the proposed entrance to the Port of Brownsville. Work includes the preparation of plans, specifications, and estimates for gantry, signing, conduit, and paving required for tolling of the main lanes. These will be included in the design package that TxDOT is currently completing and plans on letting using ARRA funds early in 2010. Supplement 1 to this WA includes the development of gantry and signage plans for change order into the current project under construction at the FM 1847 overpass as well as developing a plan for toll systems integration and customer service center implementation. Supplement 2 to this WA includes the development of interlocal agreements with CTRMA and TTA for the toll system implementation and TxTAG customer service.

Beginning March 16, there are now weekly Marketing & Operations and Toll System Implementation meeting that are organized and facilitated by Dan Baker. The following items are discussed, coordinated and tracked via these meetings:

- Marketing
  - CCRMA pay-by-mail website content and graphics
  - Coordination of all CCRMA related websites
  - Project schedule
  - Transponder Distribution
  - Marketing Period
- Operational
  - Project Schedule
  - Notification to members and testing of CCRMA InterOp Transactions
  - CCRMA pay-by-mail website development and coordination
  - CCRMA Interactive Voice Response (IVR) development and coordination
  - Toll System Operational processes between CCRMA, CTRMA, MSB and TTA
  - Cash Handling Processes
  - Financial Reconciliation
  - Training
  - Business Rules and Policies
  - Toll Payment methods from TTA and MSB to CCRMA

- Maintenance
- Customer Service coordination
- Toll System Implementation
  - Project Schedule
  - FCC License applications
  - Coordination of communications installation at the tolling point
  - Physical address for tolling location building
  - System Integrator required civil work
  - Coordination of civil related contracts
  - Ballenger schedule and coordination of inspections

Working with CTRMA, MSB and TTA, Interlocal Agreements are continuing to be developed, including:

- Toll Transaction Processing agreement was developed and approved
- Marketing and Operational Scopes of Work and Terms were developed and are being reviewed by TTA
- Maintenance scope is under development
- Dan Baker coordinated a tour of a CTRMA tolling point, The TTA Customer Service Center and MSB facility for Franco San Miguel and Marty Pena. Larry Shumway and Bobby Balli hosted the tour.

**South Padre Island Second Access Phase 3A (Work Authorization No. 17):**

*This Work Authorization provides engineering and environmental services associated with the development and advancement of the NEPA process for the proposed South Padre Island (SPI) 2nd Access Project in Cameron County, Texas. The proposed Project will provide important congestion relief for the Queen Isabella Memorial Causeway. The proposed SPI 2nd Access Project will also serve as a critical alternative evacuation route from the island in times of disaster, hurricanes, and other emergencies. The tasks associated with the Project will include the development of the necessary environmental documentation, corridor alternatives assessments, and related public involvement activities.*

*This Work Authorization continues the environmental and corridor alternatives assessment tasks necessary to advance the project to a selection of a Recommended Preferred Alternative and ultimately to a Record of Decision (ROD). After the selection of a Preferred Alternative a supplement for schematic design will be required.*

- Initial Draft Environmental Impact Statement (DEIS) was submitted on November 9, 2009.
- TxDOT has not yet reviewed the document. URS has been contracted to review. Once comments are received, an adjustment in the schedule will be required.
- The Biological Assessment and Archeological Surveys subcontracts were authorized. Work will begin when ROE has been obtained.
- Coordination continues with sea grass experts to evaluate possible development of a shading model to help determine possible impacts caused by the shade of the bridge.
- On March 31, 2010, GEC presented an overview of the proposed project (focusing on sea grass survey work and mitigation) to the Sea grass Working Committee in Corpus Christi.
- Refinement of the construction cost estimates and schedule has begun for the recommended preferred alternative.

- Development of the schematic phase scope and fee are underway. Anticipate to be presented to the board for approval in May.

**Olmito Switchyard PS&E (Work Authorization No. 23 & Supplement No. 1):**

*This Work Authorization provides for the production of Plans, Specifications, and Estimates for the construction of addition rail and repair facilities in the Olmito Switchyard. Rail and grading plans were prepared to meet a March letting schedule. The repair facilities (RIP) will be included in a second set of plans for letting at a later date.*

**Rail and Grading Plans:**

- On March 16, Richard Ridings, Van Short, Eddie Garcia, John Horney, Greg Garcia conducted a DBE workshop and a Pre-Bid Meeting for the Olmito Switchyard Expansion project. A field visit was conducted following the Pre-Bid Meeting.
- HNTB staff responded to contractors questions.
- HNTB staff posted bidding documents, and Contractors' questions and answers to [www.civcastusa.com](http://www.civcastusa.com)
- Bid opening will occur on April 1.
- HNTB is preparing scope for providing construction engineering and inspections (CEI) for this project. Construction is anticipated to begin in May

**RIP Facility plans**

- UPRR provided comments on 30% design submittal. GEC has incorporated these comments into plans and specifications
- GEC continues to develop plans to 60% submittal level for Submittal week of March 29
- Work on local permit, off-site utilities, and north access road will begin in April after Supplement 3 is approved on March 30.

**SH 550 PS&E (Work Authorization No. 24):**

*This Work Authorization provides engineering services for the preparation of plans, specifications and estimates (PS&E) for the construction of SH 550 tolled mainlanes between existing frontage road lanes from US 77/83 to 0.5 mile north of FM 3248. The work will be performed in two phases as follows:*

*Phase 1 – Prepare a design summary report (DSR), typical sections, design layout, and preliminary cost estimate for the proposed SH 550 tolled mainlanes.*

*Phase 2 – Prepare PS&E package for letting based on approved typical sections and design layout from Phase 1.*

- Completed cost estimates, design layouts, DSR, geotechnical boring layouts and typical sections.
- On March 15, Bryce Turentine and Van Short met with Norma Garza and Jody Ellington at TxDOT for a coordination meeting.
- Developed and submitted a scope to complete Phase 2 based on the design developed in phase 1.

**Port Access Road (Work Authorization No. 25):**

*This Work Authorization provides engineering services associated with the development of plans, specifications, and estimates for the construction of a new access drive from SH 48 into the Port of Brownsville. The CCRMA will construct the new \$2.5 M entrance into the*

Port of Brownsville in exchange for the donation of the SH 550 Port Spur ROW. TxDOT had initiated design of this entrance road but stopped design at an approximately 60% level of completion. The GEC has obtained TxDOT design files and will utilize them to complete a PS&E package for CCRMA letting in May

- Preparing draft contract documents for the letting and construction.
- Additional effort to coordinate utility conflicts and adjustments will begin in April after SWA#1 is approved at the March 30 Board Meeting.
- Final QA/QC of plans were conducted and cost estimates completed.
- Signatures and approvals will be obtained in April
- Advertising for a bids will begin in April, Pre-Bid meeting is scheduled for April 27 and Bids are due May 13

**General Brant Road/FM 106 Extension (Work Authorization No. 26)**

This work authorization provides professional services and deliverables associated with the preparation of a categorical exclusion (to be reviewed by the Federal Highway Administration in anticipation of possible federal funding) and the completion of the Section 404 permitting process (including the development of a conceptual mitigation plan) for the project

- On March 18, 2010, the GEC attended a project kick-off meeting with CCRMA and TxDOT.
- Work on the draft categorical exclusion was initiated.
- GEC coordinated with TxDOT to determine the status of the draft Section 404 permit application and other activities pertaining to the Section 404 permit.
- Work began on gathering data and developing draft of the CE.

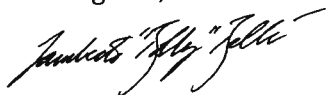
**Consultant Management:**

- Continued coordination with subconsultants.

**Agency Coordination:**

- Conducted ongoing discussions with CCRMA staff, TxDOT staff, TTA staff and subconsultants for preparation of SPI 2<sup>nd</sup> Access Project, West Parkway Project, SH 550, North Rail, and West Rail Project.

Best regards,



Lamberto "Bobby" Balli, P.E.  
Associate Vice President

cc: David Garcia  
Van Short P.E.  
Richard Ridings, P.E.

# March Status Report

# HNTB

Project		FM 509
Work Authorization	5	Route Studies and Environmental
Supplemental	1	ICI Analysis
Supplemental	2	Development of Reasonable Alternatives

WA Cost: \$	656,210.00
SA Cost: \$	40,358.00
SA Cost: \$	10,826.00
Total Cost: \$	707,394.00

**Description:** The FM 509 project is a relief route around the north and east areas of the City of Harlingen that would construct FM 509, in Cameron County, from US 77 to the intersection with FM 508. the proposed facility would consist of a four-lane roadway with directions of travel separated by a center median. Dependent upon traffic projections, an interim facility with fewer lanes may initially be constructed. Interchanges or grade separations would be constructed at major thoroughfares. As proposed, the right-of-way would be 300-feet wide (usual and sufficient to accommodate future transportation needs; however, any future improvements would be subject to environmental review. This could include bicycle and pedestrian facilities, general purpose lanes, truck lanes or some combination of these modes.

**Scope:** Develop Route and Environmental Studies for the Cameron County Regional Mobility Authority.

**Deliverables:** Drawing of the Conceptual Corridor Alternatives. Line Diagrammatic Schematic Drawings. Environmental Assessment Document required for obtaining a Finding of No Significant Impact (FONSI)

## Project Activity

### Environmental

Status: Project On-Hold

Recent Activity: None

Upcoming Activity: on hold

Outstanding Issues: on hold

Design Status: Complete

Task	Status	Date of Anticipated Completion	% Complete
FM 509 Data Assembly and Review	Complete	Complete	100%
FM 509 Route Alternative Studies	Complete	Complete	100%
FM 509 Development of Reasonable Alter.	Complete	Complete	100%
FM 509 Evaluation and Viable Alter.	Complete	Complete	100%
Notice to Proceed	Complete	Complete	100%
Data Collection	Complete	Complete	100%
Need and Purpose	Complete	Complete	100%
Alternatives Analysis	Complete	Complete	100%
Field Investigations	Complete	Complete	100%
Resource Agency Mtgs.	Ongoing	Complete	50%
Constraints map	Complete	Complete	100%
Social/Economic Investigations	Complete	Complete	100%
Natural Environment Investigations	Complete	Complete	100%
Cultural Resources	Complete	TBD	95%
Report Preparation	on hold	TBD	95%
Public Involvement	on hold	TBD	60%
Supp 1: Envir. Assessment Doc. Prepar.	Complete	Complete	100%
Supp 1: Indirect Impacts	Complete	Complete	100%
Supp 1: Cumulative Impacts	Complete	Complete	100%
Supp 1: Surveying/Mapping	Complete	Complete	100%
Supp 1: Light Detection and Ranging	Complete	Complete	100%
Supp 2: Deve. Reasonable Alternatives	Complete	Complete	100%

WA Amount:	\$	707,394.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	686,172.18			
Paid To Date:	\$	686,172.18			
Unpaid Balance:	\$	-			
Funding Source:	Cameron County				
Total: \$					-

# March Status Report

**HNTB**

Project	West Parkway		
Work Authorization	7	Route Studies and Environmental	WA Cost: \$ 1,471,763.00
Supplemental	1	Public Involvement and ENV	SA Cost: \$ 98,862.00
Supplemental	4	Route and Environmental Studies	SA Cost: \$ 378,427.00
			Total Cost: \$ 1,949,052.00

**Description:** The West Parkway project is a proposed new location, four-lane controlled access expressway with interchanges and connections at strategic locations and grade separation structures for several crossing streets in Brownsville. The majority of the project alignment falls within or in the vicinity of the existing Union Pacific Railroad right-of-way. Negotiations are underway to relocate the railroad and donate the right-of-way to the county for the project.

**Scope:** Develop Route and Environmental Studies for the Cameron County Regional Mobility Authority

**Deliverable:** Develop Route and Environmental Studies for the Cameron County Regional Mobility Authority. Conceptual typical sections Summary of preliminary conceptual design criteria. Overlay of identified major utilities onto conceptual layouts. Overlay of conceptual ROW requirements onto conceptual layouts. Final Traffic Technical Memorandum. Draft and Final Intermediate Level (Level 2) Toll Feasibility Report (Level 2 funding matrix). Environmental Assessment Document required for obtaining a Finding of No Significant Impact (FONSI)

Project Activity	
<b>Environmental</b>	
Status:	Awaiting approval of supplement
Recent Activity:	Public Meeting Report submission
Upcoming Activity:	Updating and revising EA based on public comments and design changes.
Outstanding Issues:	Supplement needs approval
<b>Design</b>	
Status:	Awaiting approval of supplement
Recent Activity:	Began Schematic preparation
Upcoming Activity:	Prepare Schematic
Outstanding Issues:	Significant changes in Typical Section and access - need supplement to address
<b>Other: Traffic</b>	
Status:	On Hold
Recent Activity:	On Hold
Upcoming Activity:	Revise Microsimulation based on new schematic
Outstanding Issues:	3d animation is recommended - need supplement for this effort

Task	Status	Date of Anticipated Completion	% Complete
Conceptual Design	Complete	Complete	100%
Intermediate-level (level 2) Toll Feasibility	Draft Level 2 TFS complete		80%
Innovative Financing Support	Ongoing	TBD	20%
Traffic Analysis and Microsimulation	On hold	TBD	80%
Geometric Schematic	assessing revisions	TBD	65%
Environmental Assessment Report	on hold	TBD	80%
West Loop Public Involvement Activities	awaiting Public Hearing	TBD	70%
Surveying and Aerial Mapping	Complete	Complete	100%
Surveying	Complete	Complete	100%
Aerial Mapping	Complete	Complete	100%
Right of Entry	Complete	Complete	100%
Supp 1: Inter.Level Toll Feasibility Study	Complete	Complete	100%
Supp 1: Environmental Assessment	assessing revisions	TBD	80%
Supp 1: Public Involvement	complete	TBD	100%

WA Amount:	\$	1,949,052.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	1,458,024.99	32-40619-PL-007	448	\$ 37,823.88
Paid To Date:	\$	1,348,236.22	33-40619-PL-007	420	\$ 9,184.30
Unpaid Balance:	\$	109,788.77	36-40619-PL-007	357	\$ 9,212.11
			38-40619-PL-007	318	\$ 9,205.52
			40-40619-PL-007	266	\$ 9,202.27
			42-40619-PL-007	190	\$ 10,011.86
Funding Source:	TxDOT Toll Equity Funding		46-40619-PL-007	119	\$ 6,524.30
			47-40619-PL-007	77	\$ 4,613.86
			48-40619-PL-007	56	\$ 4,601.13
			49-40619-PL-007	28	\$ 9,409.54
Total:					\$ 109,788.77

## March Status Report



Project	West Rail Relocation		
Work Authorization	8	International Advisor Services	WA Cost: \$ 186,579.00
Supplemental	1	International Advisor Services	SA Cost: \$ 67,264.00
Supplemental	2	International Advisor Services	SA Cost: \$ 67,163.00
Supplemental	3	International Advisor Services	SA Cost: \$ 67,163.00
Supplemental	4	International Advisor Services	SA Cost: \$ 67,939.00
Supplemental	5	International Advisor Services	SA Cost: \$ 67,939.00
			Total Cost: \$ 524,047.00

**Description:** The West Rail Relocation project provides appropriate subconsultant (s) for staff coordination with the Mexican agencies to monitor and determine project schedules, permit requirements, funding technical agreements and design for the West Rail Relocation around Brownsville, Texas. This subconsultant is Arturo de las Fuentes of Caminos Y Puentes Internacionales. The project plans will require approval by Secretaria de Comunicaciones y Transportes (SCT), Comision Internacional de Limits Y Aguas (CILA) and Kansas City Southern Mexico (KCSM).

**Scope:** Provide professional services and deliverables required for project administration and coordination for the Cameron County Regional Mobility Authority

**Deliverable:** Monthly Project Progress Reports and meeting minutes that details activities performed by task (Spanish and English versions will be provided). Monthly invoice/billings with list of tasks performed and products delivered per invoice billing cycle (English version will be provided). Project schedule and timeline for agency approval (Spanish and English version will be provided).

Project Activity				
International Advisory Services				
Status:	Ongoing			
Recent Activity:	detailed report available			
Upcoming Activity:	-			
Outstanding Issues:				
Design				
Status:	-			
Recent Activity:	-			
Upcoming Activity:	-			
Outstanding Issues:	-			
Other: Project Administration				
Status:	Continued efforts on project administration and coordination			
Recent Activity:	Coordination of Mexican Agencies and presentation of Project Report to the Binational Committee -			
Upcoming Activity:	Continued efforts on project administration and coordination			
Outstanding Issues:	-			
Task		Status	Date Anticipated Completion	% Complete
International Services		Continuing	Continuing	90%
WA Amount:	\$ 524,047.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$ 491,294.06			
Paid To Date:	\$ 491,294.06			
Unpaid Balance:	\$ -			
Funding Source:	Cameron County			
		Total:	\$	-

## March Status Report

# HNTB

Project South Padre Island Second Access  
 Work Authorization ☒ 12 Route Studies and Environmental  
 Supplemental ☒ 1 Economic Study  
 Supplemental ☐ \_\_\_\_\_

WA Cost: \$ 1,211,320.00

SA Cost: \$ 339,518.00

SA Cost: \_\_\_\_\_

Total Cost: \$ 1,550,838.00

**Description:** The South Padre Island Second Access project provides engineering and environmental services associated with the development and advancement of the National Environmental Policy Act (NEPA) process. The tasks associated with the project will include the development of an environmental impact statement, alternatives development and evaluation, and related public involvement activities.

**Scope:** Develop Route and Design, Environmental, Public Involvement, Field Surveying and Photogrammetry studies.

**Deliverable:** Effort involved in conducting three Public Meetings and associated TWG meetings listed in Project Development Plan and as approved in Phase 2. Preliminary Study Methodology Memorandum. Draft and final preliminary alternative layouts. Draft and final conceptual typical sections and layouts of the reasonable corridor alternatives. Draft technical memorandum. Existing Conditions Assessment summary document. Data Collection Summary Document. Writing of initial Chapters of the NEPA Document.

### Project Activity

#### Environmental

Status: This phase complete

Recent Activity: This phase complete

Upcoming Activity: Work Authorization is complete

Outstanding Issues: Outstanding invoices

#### Design

Status: This phase complete

Recent Activity: This phase complete

Upcoming Activity: Work Authorization is Complete

Outstanding Issues: Outstanding invoices

#### Economic Study

Status: This phase complete

Recent Activity: This phase complete

Upcoming Activity: Work Authorization is complete

Outstanding Issues: Outstanding invoices

Task	Status	Date of Anticipated Completion	% Complete
Data Collection/Existing Condition Assessment	Complete	complete	100%
Corridor Alter. Assessment & Documentation	Complete	complete	100%
Intermediate-Level Toll Feasibility Study	Methodology complete	complete	100%
Economic Study Phase 2	Complete	complete	100%
Environmental Impact Statement (EIS) Phase 2	Chapters 1,2,3 complete	complete	100%
Affected Environmental	Draft complete	complete	100%
Environmental Consequences	Not in Phase 2	complete	100%
Public Involvement and CSS	Complete	complete	100%
Field Surveying and Photogrammetry	Complete	Complete	100%
WA Amount: \$ 1,550,838.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date: \$ 1,550,838.00	32-40619-PL-012	448	\$ 46,065.79
Paid To Date: \$ 1,222,366.66	33-40619-PL-012	420	\$ 15,053.31
Unpaid Balance: \$ 328,471.34	35-40619-PL-012	392	\$ 216,310.61
	36-40619-PL-012	357	\$ 51,041.63
Total Accrued Interest			
Funding Source: TxDOT Toll Equity Funding			
			\$ 328,471.34



# March Status Report

# HNTB

Project PDA Coordination and Negotiation Support  
 Work Authorization ☒ 13 \_\_\_\_\_  
 Supplemental ☐ \_\_\_\_\_  
 Supplemental ☐ \_\_\_\_\_

WA Cost: \$ 790,903.00

SA Cost: \_\_\_\_\_

SA Cost: \_\_\_\_\_

Total Cost: \$ 790,903.00

**Description:** This Work Authorization provides support to the Authority and its Legal and Financial Advisors in the development of a Project Development Agreement (PDA) between the Authority and TxDOT concerning the development of the Port Spur, West Loop, and US 77 Improvements projects

**Scope:** Support the CCRMA in negotiations with TxDOT and ZAI/ACS, and assist in the development of a Project Development Agreement (PDA) for SH 550, West Parkway, and US 77 Improvements

**Deliverable:** Engineering support in the development of a PDA

## Project Activity

### CDA and Proposal Review

Status: PDA for SH 550 approved

Recent Activity: Having weekly meetings with RMA staff

Upcoming Activity: continue coordination as necessary

Outstanding Issues:

### Project Development Agreement

Status: PDA for SH 550 approved

Recent Activity: Having meetings as necessary

Upcoming Activity: continue meetings

Outstanding Issues:

Task	Status	Date of Anticipated Completion	% Complete
Design Review	initiated		10%
Specification Review	initiated		1%
CDA Requirements/Terms/Risk Assessment	initiated		25%
			%
Draft Technical Requirements/Obligations	Not Started		5%
Draft Operations/Tolling Obligations	Started PDA		5%
Draft Reporting/Maintenance Obligations	Started PDA		5%
Final Reviews, Recommendations, and Presentations	Not Started		0%
			%

WA Amount:	\$	790,903.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	131,260.97	38-40619-PL-013	318	\$ 2,436.20
Paid To Date:	\$	20,580.53	39-40619-PL-013	301	\$ 6,391.38
Unpaid Balance:	\$	110,680.44	40-40619-PL-013	266	\$ 10,691.84
			41-40619-PL-013	235	\$ 7,544.08
			42-40619-PL-013	190	\$ 8,683.80
			43-40619-PL-013	172	\$ 4,716.28
Funding Source:			44-40619-PL-013	147	\$ 7,650.43
			46-40619-PL-013	119	\$ 16,331.64
			47-40619-PL-013	77	\$ 16,658.91
			48-40619-PL-013	56	\$ 14,458.53
			49-40619-PL-013	28	\$ 15,117.35
Total:					\$ 110,680.44

## March Status Report

# HNTB

Project		SH 550 Re-Evaluation
Work Authorization	15	Environmental Studies
Supplemental	1	Re-Evaluation
Supplemental	2	Individual Permit
Supplemental	3	Env Site Plan Development

WA Cost: \$	402,102.00
SA Cost: \$	41,694.00
SA Cost: \$	153,932.00
SA Cost: \$	45,304.00
Total Cost: \$	643,032.00

**Description:** The SH 550 Re-Evaluation project provides professional services and deliverables in support of the CCRMA's development of the SH 550 toll project from US 77/83 to SH 48 and the proposed entrance to the Port of Brownsville. The focus of the re-evaluation will be on the effects of tolling the project. Supplements focus on developing mitigation plans and permit approval.

**Scope:** Project Management and Social, Economic and Environmental studies for the AUTHORITY. Environmental Activity necessary for obtaining Re-evaluation clearance for a tolled roadway. Development of plans for mitigation site.

**Deliverable:** Environmental Activity necessary for obtaining Re-evaluation clearance for a tolled roadway

Project Activity	
<b>Environmental</b>	
Status:	Permits Received
Recent Activity:	Permits Received
Upcoming Activity:	WA complete
Outstanding Issues:	
<b>Design</b>	
Status:	SH 550 Bids received
Recent Activity:	support efforts complete
Upcoming Activity:	WA complete
Outstanding Issues:	
<b>Other</b>	
Status:	-
Recent Activity:	-
Upcoming Activity:	-
Outstanding Issues:	-

Task	Status	Date of Anticipated Completion	% Complete
Environmental Assessment Doc. Preparation	Complete	complete	100%
Wetland Delineation, Permitting and Mitigation (supplement 2)	Complete	complete	100%
Public Involvement	Complete	complete	100%
PS&E plans for TxDOT (supplement 3)	complete	complete	100%
Re-evaluation of EA for mitigation property (supplement 3)	complete	complete	100%
WA Amount: \$ 643,032.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date: \$ 627,638.00	48-40619-PL-015	56	\$ 63,400.20
Paid To Date: \$ 496,492.88	49-40619-PL-015	28	\$ 67,745.72
Unpaid Balance: \$ 131,145.12			
Funding Source: County License Plate Fees			
Total: \$			131,145.92

# March Status Report

# HNTB

Project		West Rail Design
Work Authorization	16	
Supplemental	1	
Supplemental	2	

WA Cost: \$	179,683.00
SA Cost: \$	138,732.00
SA Cost: \$	5,882.00
Total Cost: \$	324,297.00

**Description:** This work authorization includes additional items to the scope of the West Rail Relocation project. The West Rail Relocation is a six-mile new rail section that moves the existing rail through Brownsville and Matamoros west of the cities. As part of this project, a new bridge across the border crosses the Rio Grande River. Coordination involves the County, TxDOT, UPRR, DHS, and utility owners.

**Scope:** Utility coordination and evaluation, siphon extension design and PS&E, DHS building site items, survey.

**Deliverable:** Utility estimates, design, and resolution; siphon extension plans, specifications, and estimates; utility hookups for DHS building; and stakes and survey data items.

Project Activity	
Utility Coordination and Evaluation	
Status:	Ongoing
Recent Activity:	Continued coordination with utility owners; approval by TxDOT of proof of eligibility and construction cost estimates for BPUB, AEP Transmission, and VMUD, coordination with TransMontaigne and its consultant for pipeline design (STV)
Upcoming Activity:	Receive proof of eligibility from AEP Distribution and TGS and submit to TxDOT for concurrence; meet with TransMontaigne and STV to proceed with pipeline design
Outstanding Issues:	Unpaid invoices
Siphon Extension Design	
Status:	Complete
Recent Activity:	Complete
Upcoming Activity:	Prepare for letting in June
Outstanding Issues:	Unpaid invoices
DHS Building Items	
Status:	Ongoing
Recent Activity:	Discussed design for fencing and lighting along West Rail bridge
Upcoming Activity:	Prepare for letting in May
Outstanding Issues:	Unpaid invoices
Supplement items (design, noise, mitigation, )	
Status:	Complete
Recent Activity:	Received signature on USACE PCN
Upcoming Activity:	Prepare for letting in May
Outstanding Issues:	Unpaid invoices

Task	Status	Date of Anticipated Completion	% Complete
Project Management	Ongoing	TBD	100%
Utility Coordination and Evaluation	Ongoing	TBD	99%
Siphon Extension Design	Complete	3/12/2010	100%
DHS Building Items	Ongoing	TBD	100%
Supplement items (design, noise, mitigation)	Complete	3/12/2010	100%
WA Amount: \$	Outstanding Invoice Number	Days Old	Invoice Amount
324,297.00	38-40619-PL-016	318	\$ 62,889.05
Billed To Date: \$ 324,297.00	39-40619-PL-016	301	\$ 44,920.75
Paid To Date: \$ 6,357.00	40-40619-PL-016	266	\$ 17,968.30
Unpaid Balance: \$ 317,940.00	42-40619-PL-016	190	\$ 50,311.24
	45-40619-PL-016	135	\$ 86,013.84
	46-40619-PL-016	119	\$ 49,375.22
Funding Source:	47-40619-PL-016	77	\$ 5,705.54
	48-40619-PL-016	56	\$ 4,338.42
	49-40619-PL-016	28	\$ 2,774.64
Total: \$			324,297.00

**HNTB**

WA Cost:	\$	2,965,831.00
SA Cost:	\$	165,885.00
SA Cost:		
Total Cost:	\$	3,131,716.00

**Scope:** Prepare preliminary engineering, DEIS, Public Hearing, and FEIS

**Deliverable:** This Work Authorization continues remaining environmental and corridor alternatives assessment tasks necessary to advance the project to a selection of a Recommended Preferred Alternative and ultimately to a Record of Decision (ROD). After the selection of a Preferred Alternative a supplement for schematic design will be required.

### Project Activity

## Environmental

<b>Status:</b>	DEIS under review
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### Recent Activity

Ongoing conversations with Sea Grass experts on shading model. Obtain Right of Entry for Biological assessment for Piping Plover.

### Upcoming Activities

DEIS will be revised/resubmitted upon receipt of comments: Biological Assessment and Archeologic survey to begin.

### Outstanding Issues:

Schedule slip due to delays in agency reviews

Status:

Completed preliminary Engineering - awaiting supplement for Schematic development

**Recent Activity:**

update cost estimates and schedule for recommended preferred alignment

### Upcoming Activities

Prepare scope for Schematic Development. Continue coordination with Environmental.

### Outstanding Issues:

obtain approval of schematic scope and fee	
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## Economic Study

Status:	completed draft economic study submitted in December
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### Recent Activity

coordinate with DEIS

### Upcoming Activity:

Respond to comments

### Outstanding Issues:

Task	Status	Date of Anticipated Completion	% Complete
Data Collection/Existing Conditional Analysis	complete		100%
Preliminary Engineering Services	on-going		98%
Geometric Layout (Schematic Plan) Development (SWA)	NA	NA	NA
Value Engineering Participation	NA	NA	NA
Traffic Volume Development	NA	NA	NA
Innovative Financing Support	NA	NA	NA
Traffic Operational Analysis	NA	NA	NA
Economic Study	complete		100%
Environmental Impact Statement	on-going		65%
Affected Environment and Environmental Consequences	on-going		65%
Public Involvement	Public hearing in 2010		0%
Field Surveying (SWA)	NA	NA	NA

WA Amount:	\$	2,965,831.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	2,096,580.07	38-40619-PL-017	318	\$ 32,942.42
Paid To Date:	\$	166,761.19	39-40619-PL-017	301	\$ 65,884.84
Unpaid Balance:	\$	1,929,818.88	40-40619-PL-017	266	\$ 230,596.94
			41-40619-PL-017	235	\$ 133,875.78
			42-40619-PL-017	190	\$ 670,468.92
Funding Source:			43-40619-PL-017	172	\$ 274,602.18
			44-40619-PL-017	147	\$ 147,347.98
			46-40619-PL-017	119	\$ 58,463.60
			47-40619-PL-017	77	\$ 189,715.72
			48-40619-PL-017	56	\$ 52,401.04
			49-40619-PL-017	28	\$ 73,519.46
Total:					\$ 1,929,818.88

## March Status Report

# HNTB

Project West Parkway Study - Public Involvement  
 Work Authorization ☐ 18  
 Supplemental ☐  
 Supplemental ☐

WA Cost: \$ 431,119.00  
 SA Cost: \$ (43,928.00)  
 SA Cost:  
 Total Cost: \$ 387,191.00

**Description:** The West Parkway project is a proposed new location, four-lane controlled access expressway with interchanges and connections at strategic locations and grade separation structures for several crossing streets in Brownsville. The majority of the project alignment falls within or in the vicinity of the existing Union Pacific Railroad right-of-way. Negotiations are underway to relocate the railroad and donate the right-of-way to the county for the project.

**Scope:** The purpose of this task is to determine corridor issues and implement an informed consent process with community residents and business leaders impacted by the West Parkway project. This will be accomplished through the development of informational materials to be presented in newsletters and through the media as well as conducting neighborhood meetings, small focus group meetings, and most importantly, individual stakeholder meetings. Efforts will culminate in a second public meeting and a corridor outreach report to accompany and support the West Parkway EA findings and recommendation

**Deliverable:** Updated project database; display ads; opinion editorial pieces; editorial board meeting; project newsletters; neighborhood meeting materials; neighborhood meetings summary memo; small group focus meeting materials; small group focus meetings memo; individual stakeholder meeting notes; public meeting materials; corridor issues outreach report

Project Activity				
Public and Media Relations				
Status: Complete				
Recent Activity:		Task complete		
Upcoming Activity:		Task complete		
Outstanding Issues:		None to date		
Corridor Issues Determination				
Status: Complete				
Recent Activity:		complete		
Upcoming Activity:		Complete		
Outstanding Issues:				
Public Meeting				
Status: Task complete				
Recent Activity:		none - task complete		
Upcoming Activity:		none - task complete		
Outstanding Issues:				
Task		Status	Date of Anticipated Completion	% Complete
Public and Media Relations		complete	11/30/2009	100%
Corridor Issues Determination		complete	11/30/2009	100%
Public Meeting		complete	11/30/2009	100%
WA Amount:	\$ 387,191.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$ 387,191.00	38-40619-PL-018	318	\$ 6,182.06
Paid To Date:	\$ 34,094.94	39-40619-PL-018	301	\$ 9,273.09
Unpaid Balance:	\$ 353,096.06	40-40619-PL-018	266	\$ 30,910.30
		41-40619-PL-018	235	\$ 56,605.10
		42-40619-PL-018	190	\$ 80,770.24
		43-40619-PL-018	172	\$ 21,418.99
		44-40619-PL-018	147	\$ 73,537.58
		46-40619-PL-018	119	\$ 29,962.71
		47-40619-PL-018	77	\$ 44,435.99
Funding Source:				
Total: \$				353,096.06

## March Status Report

# HNTB

Project		SH 550 Toll Implementation
Work Authorization	21	Port Spur Sign and Gantry design
Supplemental	1	Overpass change order, Toll imp, PI efforts
Supplemental	2	Development of ILA

WA Cost:	\$	63,369.00
SA Cost:	\$	304,561.00
SA Cost:	\$	224,425.00
Total Cost:	\$	592,355.00

**Description:** SH 550 is being designed and constructed by TxDOT. Currently the plans do not have Toll facilities included. To reduce the number of change orders and/or reconstruction in the area of gantry construction, TxDOT has agreed to incorporate gantry, signage and conduits into the plan set for letting in early 2010. Supplement 1 incorporates gantry plans into the existing TxDOT contract for the Overpass of FM 1847 which will be open in March, it also included procurement of the tolling for this overpass. Supplement 2 provides support for developing agreements with CTRMA and TTA on tolling initiation.

**Scope:** Develop gantry, signage, and conduit plans, specs, and estimates to insert into TxDOT PS&E set in time for letting. Supplement 1 added design of FM 1847 gantry and toll system implementation efforts. Supplement 2 added development of agreements.

**Deliverable:** PS&E for gantry, signage and conduits, Change order documents for FM 1847, Toll System implementation plans, tours of toll agencies, PI efforts in preparation for FM 1847 tolling. ILA for system integration, collections, and maintenance and support in setting up local CSS.

### Project Activity

#### Toll implementation

<b>Status:</b>	ILA on Toll Collections was executed - coordination continues on other ILAs
<b>Recent Activity:</b>	Continued ILA efforts with TTA and CTRMA •tour of CTRMA and TTA facilities •Weekly meetings with TTA and CTRMA •Coordination with Caseta on Toll integration
<b>Upcoming Activity:</b>	Instigate marketing plan and begin setting up sites for TxTAG distribution and customer service.
<b>Outstanding Issues:</b>	Supplement need to continue coordination efforts

#### Design

<b>Status:</b>	SH 550 Port Spur bid received, Change order on overpass complete and construction started
<b>Recent Activity:</b>	Complete
<b>Upcoming Activity:</b>	Complete
<b>Outstanding Issues:</b>	oversight of toll equipment placement

#### Public Involvement

<b>Status:</b>	Brochure for tolling and Frequently asked questions completed
<b>Recent Activity:</b>	Meetings with TTA on coordination with TxTag marketing. Finalized marketing plan
<b>Upcoming Activity:</b>	initiate marketing efforts
<b>Outstanding Issues:</b>	

Task	Status	Date of Anticipated Completion	% Complete
Gantry and Conduit design	complete	October	100%
Signing Design	complete	October	100%
Estimates	complete	October	100%
Toll implementation Procurement	complete	December	100%
Toll ILA development and oversight	ongoing	June	40%
Public Involvement	ongoing	May	50%

WA Amount:	\$	592,355.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$	458,066.70	40-4061-PL-021	266	\$ 5,069.52
Paid To Date:	\$	-	41-40619-PL-021	235	\$ 46,893.06
Unpaid Balance:	\$	458,066.70	42-40619-PL-021	190	\$ 36,340.62
			43-40619-PL-021	172	\$ 58,868.80
			44-40619-PL-021	147	\$ 36,793.00
Funding Source:			46-40619-PL-021	119	\$ 73,586.00
			47-40619-PL-021	77	\$ 73,586.00
			48-40619-PL-021	56	\$ 74,686.10
			49-40619-PL-021	28	\$ 52,243.60
Total:					\$ 458,066.70

## March Status Report

# HNTB

Project		Olmito Switchyard PS&E
Work Authorization	23	Olmito Track and Grading PS&E
Supplemental	1	Olmito RIP and Lighting PS&E
Supplemental	2	Olmito Bid Documents & Advertisement
Supplemental	3	Permits & Off-site Utility Access

WA Cost: \$	145,519.00
SA Cost: \$	183,763.00
SA Cost: \$	41,632.00
SA Cost: \$	60,035.00
Total Cost: \$	430,949.00

**Description:** This Work Authorization is to provide plans, specifications, and estimates (PS&E) for the Union Pacific Railroad (UPRR) Olmito Yard expansion. The construction of these additional tracks will allow the UPRR to relocate their current yard operations from Harlingen to Olmito.

**Scope:** Design and preparation of PS&E for the Olmito Yard expansion, not including the repair-in-place (RIP) facility and lighting. This includes track, drainage, construction sequencing, SWPPP, bid package, specifications, quantities, construction estimate, and schedule. Supplement includes the RIP facility and Lighting PS&E (separate PS&E letting Package)

**Deliverable:** Olmito Switchyard PS&E package, including mylar sheets, bid package, estimate, and construction schedule.

### Project Activity

<b>Olmito Switchyard PS&amp;E</b>	
<b>Status:</b>	Yard: Project is out for bid. RIP: at 60%
<b>Recent Activity:</b>	Yard: Conducted Pre-Bid Meeting and providing answers to Questions RIP: Preparing 60% Submittal
<b>Upcoming Activity:</b>	Yard: Review Contractor Bids and award Construction. RIP: 60% submittal. Prepare Supplemental for Construction Inspection and a Supplemental for permits, off-site utilities, and north access road
<b>Outstanding Issues:</b>	N/A

Task	Status	Anticipated Completion	% Complete
<b>Olmito Switchyard PS&amp;E</b>			
Coordination with County, UPRR, and TxDOT	Complete	Complete	100%
Coordination of Field Survey	Complete	Complete	100%
Project Control Plans	Complete	Complete	100%
Railroad Track Plans and Profiles	Complete	Complete	100%
Construction Sequencing	Complete	Complete	100%
Drainage Plans and Profiles	Complete	Complete	100%
SWPPP	Complete	Complete	100%
Bid Package, Specifications, Quantities, and Estimates	Complete	Complete	100%
Pre-bid Conference and Requests for Information	Complete	Complete	100%
Field Surveys	Complete	Complete	100%

<b>Olmito RIP PS&amp;E</b>			
Coordination with County and UPRR	Ongoing		70%
Coordination of Geotechnical Borings	Complete		100%
Project Control Plans	Ongoing		95%
Railroad Track Plans and Profiles	Ongoing		95%
Construction Sequencing	Ongoing		80%
Drainage Plans and Profiles	Ongoing		80%
SWPPP	Ongoing		60%
RIP Facility Building, Crew Modular Building, and Structural Plans	Ongoing		55%
RIP Facility and Crew Modular Mechanical and Plumbing Plans	Ongoing		60%
Power and Lighting Plans	Ongoing		55%
Bid Package, Specifications, Quantities, and Estimates	Ongoing		10%
Pre-bid Conference and Requests for Information	Not Started		0%
Geotechnical Studies	Ongoing		80%
Field Surveys (Olmito Yard)	Complete		100%
Field Surveys (UPRR/RVSC Harlingen Yard)	Not Started		0%

WA Amount: \$	430,949.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date: \$	214,658.63	48-40619-DS-023	56	\$ 36,752.60
Paid To Date: \$	177,906.03			
Unpaid Balance: \$	36,752.60			
Funding Source:				
Total: \$				36,752.60

## March Status Report

# HNTB

Project SH 550 PS&E  
 Work Authorization ☒ 24 PS&E Phase 1  
 Supplemental ☐                       
 Supplemental ☐                     

WA Cost: \$ 39,243.00  
 SA Cost:                       
 SA Cost:                       
 Total Cost: \$ 39,243.00

**Description:** This Work Authorization provides engineering services associated with the development of plans, specifications, and estimates for the SH 550

**Scope:** This Work Authorization provides engineering services associated with the development of plans, specifications, and estimates for the SH 550 . Phase 1 is the initial scoping efforts. Phase 2 will include survey, geotech, design, specifications, and estimates.

**Deliverable:** Phase 1: general exhibit of limits of design, typical section, preliminary cost estimate, determination of Geotechnical needs  
 Phase 2: Survey, geotechnical, Final Plans, Specifications, and Estimates

### Project Activity

<b>Design</b>	
Status:	Initiated Phase 1 -
Recent Activity:	Completed Cost Estimate • Completed DSR • Completed design exhibit & Typical Sections • Completed geotech boring locations • Met with TxDOT
Upcoming Activity:	Start Phase 2 : PS&E
Outstanding Issues:	Supplement for Phase 2 work

Task		Status	Anticipated Completion	% Complete
<b>Design</b>				
Phase 1 effort		Complete		100%
General Administration		na		0%
survey		na		0%
Geotechnical Studies		na		0%
30% plans		na		0%
65% plans		na		0%
90% plans		na		0%
letting documents		na		0%
WA Amount:	\$ 39,243.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$ 1,962.15			
Paid To Date:	\$ 1,962.15			
Unpaid Balance:	\$ -			
Funding Source:				
Total:				\$ -



## March Status Report

# HNTB

Project Port Entrance Road  
 Work Authorization ☒ 25 PS&E development and letting support  
 Supplemental ☐ \_\_\_\_\_  
 Supplemental ☐ \_\_\_\_\_

WA Cost: \$ 157,214.00  
 SA Cost: \_\_\_\_\_  
 SA Cost: \_\_\_\_\_  
 Total Cost: \$ 157,214.00

**Description:** This Work Authorization provides engineering services associated with the development of plans, specifications, and estimates for the construction of a new access drive from SH 48 into the Port of Brownsville. The CCRMA will construct the new \$2.5 M entrance into the Port of Brownsville in exchange for the donation of the SH 550 Port Spur ROW. TxDOT had initiated design of this entrance road but stopped design at an approximately 60% level of completion. The GEC has obtained TxDOT design files and will utilize them to complete a PS&E package for CCRMA letting in May

**Scope:** Prepare PS&E for the construction of Port Access Drive.

**Deliverable:** Pre-Final Plans, Specifications, and Estimates. Final Plans, Specifications, and Estimates with CCRMA comments addressed, ten (10 copies and one (1) PDF on CD. Issued for Construction plans, including incorporate Agenda, as needed.

### Project Activity

#### Port Access Road

Status: Plans ready for signatures

#### Recent Activity:

- Completed Bid documents
- Completed Cost Estimate
- Completed Plans and Specifications

#### Upcoming Activity:

- Advertise
- Pre Bid meeting April 27
- Open Bids May 13
- Continue Utility Coordination

Outstanding Issues: N/A

Task		Status	Anticipated	% Complete
<b>Port Entrance Road</b>				
Project Management and Coordination		Ongoing		80%
General Administration		Ongoing		80%
Review Roadway Design Criteria		Ongoing		100%
Cost Estimate and Specifications		Ongoing		100%
Plans		Ongoing		100%
Bid Package Items		Ongoing		80%
Prepare for and Host Pre-Bid Meeting				0%
Receive Bids and Host Bid Opening				0%
Certify Bids				0%
Contract Execution to Awarded Contractor				0%
WA Amount:	\$ 157,214.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$ 110,049.80	48-40619-DS-025	56	\$ 70,746.30
Paid To Date:	\$ 39,303.50			
Unpaid Balance:	\$ 70,746.30			
Funding Source:				
Total:				\$ 70,746.30

# March Status Report

**HNTB**

Project General Brant  
 Work Authorization ☒ 26 \_\_\_\_\_  
 Supplemental ☐ \_\_\_\_\_  
 Supplemental ☐ \_\_\_\_\_

WA Cost: \$ 208,639.00  
 SA Cost: \_\_\_\_\_  
 SA Cost: \_\_\_\_\_  
 Total Cost: \$ 208,639.00

<b>Description:</b> This Work Authorization provides engineering services associated with the				
<b>Scope:</b> This Work Authorization provides engineering services associated with the				
<b>Deliverable:</b>				
<b>Project Activity</b>				
<b>Port entrance Road</b>				
Status:				
Recent Activity:	<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> </ul>			
Upcoming Activity:	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>			
Outstanding Issues:				
<b>Task</b>	<b>Status</b>	<b>Anticipated</b>	<b>% Complete</b>	
<b>Port Entrance Road</b>				
Project Management and Coordination	Ongoing		10%	
General Administration	Ongoing		10%	
Review Roadway Design Criteria	Ongoing		95%	
Cost Estimate and Specifications	Ongoing		90%	
Plans	Ongoing		90%	
Bid Package Items	Ongoing		60%	
Prepare for and Host Pre-Bid Meeting			0%	
Receive Bids and Host Bid Opening			0%	
Certify Bids			0%	
Contract Execution to Awarded Contractor			0%	
WA Amount:	\$ 208,639.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$ -			
Paid To Date:	\$ -			
Unpaid Balance:	\$ -			
Funding Source:				
<b>Total:</b>			<b>\$</b>	<b>-</b>

# March Status Report

**HNTB**

Project East Loop Pass Through Application  
 Work Authorization ☒ 27 \_\_\_\_\_  
 Supplemental ☐ \_\_\_\_\_  
 Supplemental ☐ \_\_\_\_\_

WA Cost: \$ 18,164.00  
 SA Cost: \_\_\_\_\_  
 SA Cost: \_\_\_\_\_  
 Total Cost: \$ 18,164.00

**Description:** This Work Authorization provides engineering services associated with the revision to the 2009 Pass Through Financing Application for the East Loop Sections 2 and 3.

**Scope:** This Work Authorization provides engineering services associated with gathering new and updated data related to the East Loop Project. An application will be prepared and submitted to TxDOT.

**Deliverable:** Electronic and hard copies of the East Loop Pass Through Financing Application.

## Project Activity

### Pass Through Financing Application

Status: Work will begin April 1

No Work in march

Recent Activity:

Upcoming Activity:

Complete the application and submit to TxDOT

Outstanding Issues:

Task		Status	Date of Anticipated Completion	% Complete
<b>Application</b>				
Project Management and Coordination		Start April 1	5/7/2010	0%
General Administration		Start April 1	5/7/2010	0%
Revise East Loop Application		Start April 1	5/7/2010	0%
WA Amount:	\$ 18,164.00	Outstanding Invoice Number	Days Old	Invoice Amount
Billed To Date:	\$ -			
Paid To Date:	\$ -			
Unpaid Balance:	\$ -			
Funding Source:				
			Total: \$	-

**VIII. CONSIDERATION AND APPROVAL OF  
MEMORANDUM OF UNDERSTANDING BETWEEN  
THE CAMERON COUNTY REGIONAL MOBILITY  
AUTHORITY AND RAZORBACK L.L.C. DBA  
DIAMONDBACK PIPELINE L.L.C. RAZORBACK FOR  
THE WEST RAIL PROJECT**

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## MEMORANDUM OF UNDERSTANDING

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### AN AGREEMENT FOR COMPLETION OF THE WEST RAIL RELOCATION PROJECT IN CAMERON COUNTY, TEXAS

THIS MEMORANDUM OF UNDERSTANDING ("MOU") made and entered into as of this the 28<sup>th</sup> day of July, 2010, by and between the **CAMERON COUNTY REGIONAL MOBILITY AUTHORITY** (the "CCRMA") and **RAZORBACK L.L.C. DBA DIAMONDBACK PIPELINE L.L.C** **RAZORBACK**("RAZORBACK").;

#### WITNESSETH:

**WHEREAS**, **RAZORBACK** is the owner of a six-inch pipeline and an eight-inch pipeline (collectively, the "Razorback Pipeline") and P.M.I. Services North America, Inc. ("PMI") is the owner of a 10-inch pipeline (the "PMI Pipeline" and together with the Razorback Pipeline, the "Pipeline") and related easements in Cameron County, Texas, and said easements are held by **RAZORBACK** for the purpose of constructing, operating, maintaining, repairing, relocating, and removing said pipeline; and

**WHEREAS**, the Pipeline and the certain of the easements are located on real property owned or to be acquired by **CCRMA** (the "CCRMA Easements"); and

**WHEREAS**, **CCRMA** as fee simple owner of said real property subject to the CCRMA Easements, desires to utilize a portion of the real property over which the Pipeline may be located for the purpose of installing, operating, maintaining, and removing certain railroad improvements for the construction of the West Rail Relocation Project (the "Project"). A true and correct legal description of the real property subject to the CCRMA Easements is attached hereto and incorporated by reference as Exhibit "B" (the "Property"); and

**WHEREAS**, completing the Project may require **RAZORBACK** or **PMI**, as the case may be, and **CCRMA** to relocate the Pipeline in one location, and to adjust the Pipeline in four other locations; and

**WHEREAS**, **CCRMA** has agreed to pay, out of the Project, **RAZORBACK's** and/ or **PMI's** actual cost of relocating and/or adjusting the Pipeline; and

**WHEREAS**, the parties wish to memorialize their understanding as of the date of this document, to allow **RAZORBACK** to complete engineering plans and to provide for the orderly progress of the Project.

**NOW, THEREFORE,** the parties hereto have agreed and do hereby agree as follows:

1. **Engineering.** Upon execution of this MOU, **RAZORBACK** shall be authorized to obtain any and all necessary engineering and survey services, including final design and cost estimates, for relocating and/or adjusting the Pipelines as may be necessary, in anticipation of completing the Project. **CCRMA** shall reimburse **RAZORBACK** its actual cost of engineering and survey services plus internal labor costs and out of pocket expenses incurred in completing the foregoing, in an amount not to exceed \$40,000.00.
2. **Pipeline Relocation Agreement.** To the extent **RAZORBACK** determines it is necessary or appropriate to relocate the Pipeline based on the engineering service performed above, **RAZORBACK**, with respect to the Razorback Pipeline, and the **CCRMA** agree to act in good faith to negotiate and execute a Pipeline Relocation Agreement, which will govern **RAZORBACK's** relocation of its Razorback Pipeline in those areas where it is operationally unfeasible to have the pipeline occupy the same location as the Project.
3. **Joint Use Agreement.** To the extent **RAZORBACK** determines it is necessary or appropriate to relocate the Razorback Pipeline based on the engineering service performed above, the **CCRMA** and **RAZORBACK**, with respect to the Razorback Pipeline, agree to act in good faith to negotiate and execute a Joint Use Agreement, which will govern the adjustment of the Razorback Pipeline in those areas where the Project and the Razorback Pipeline can occupy a joint location, and will also describe the respective rights and obligations under the Project on the Property.
4. **PMI Agreements.** To the extent **RAZORBACK** determines it is necessary or appropriate to relocate the PMI Pipeline based on the engineering service performed above, **CCRMA** will approach PMI and attempt to negotiate, as required, a Pipeline Relocation Agreement and/or a Joint Use Agreement with PMI. The parties hereto acknowledge and agree that **RAZORBACK** is not authorized to negotiate on behalf of, or bind PMI or the PMI Pipeline in any agreement related to the Project or otherwise.
5. **Project Schedule.** In order to complete the project in a timely manner, the parties agree to use commercially reasonable efforts to meet the following schedule:
  - a. April 7, 2010 – Begin Conceptual Study;

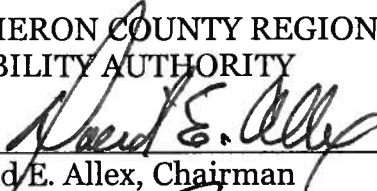
b. July 30, 2010 – Complete Conceptual Study and receive estimates of construction costs;

c. August 4, 2010 – Submit Conceptual Study to **CCRMA**.

6. **Further Documentation.** While this MOU does not constitute a full and final agreement between the parties, each party recognizes that the other party intends to rely on this document in incurring expenses and making decisions in furtherance of the Project. Therefore, the parties agree to act in good faith to negotiate and execute as applicable, the Relocation Agreement, Joint Use Agreement, and other necessary documents to complete the Project as it relates to the Razorback Pipeline (excluding the PMI Pipeline. However, nothing in this MOU authorizes **RAZORBACK** to incur any expense for which it expects to be reimbursed by **CCRMA**, other than the engineering and survey services described in Paragraph 1 above, plus reasonable attorneys fees incurred in connection with the completion of the services described in Paragraph 1 above, without execution of the Joint Use or Relocation Agreements, or unless otherwise authorized in writing by **CCRMA**.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their officer, thereunto duly authorized, as of the day and year first herein written.

CAMERON COUNTY REGIONAL  
MOBILITY AUTHORITY

  
\_\_\_\_\_  
David E. Allex, Chairman

Attested by:  \_\_\_\_\_

Secretary

Date: July 28, 2010

RAZORBACK L.L.C. DBA  
Diamondback Pipeline, L.L.C.

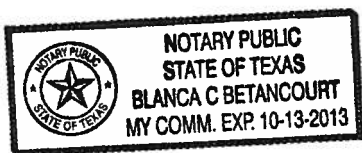
By:  \_\_\_\_\_

Michael A. Hammell  
Vice President & Assistant Secretary

### Acknowledgement

STATE OF TEXAS           §  
                                     §  
COUNTY OF CAMERON   §

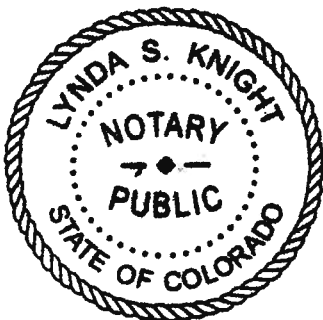
This instrument was acknowledged before me on this 28<sup>th</sup> day of July 2010, by DAVID E. ALLEX in his capacity as Chairman of the CAMERON COUNTY REGIONAL MOBILITY AUTHORITY and on behalf of said Authority.



Blanca C. Betancourt  
Notary Public in and for the State of Texas

STATE OF COLORADO           §  
                                     §  
CITY AND COUNTY OF DENVER   §

This instrument was acknowledged before me on the 28<sup>th</sup> of July, 2010, by Michael A. Hammell, in his capacity as Vice President and Assistant Secretary of the RAZORBACK L.L.C. DBA DIAMONDBACK PIPELINE L.L.C and on behalf of said Company.



Lynda S. Knight  
Notary Public in and for the State of Colorado

My Commission Expires 12/11/2010

M:\Legal\MLP\Razorback LLC\MOU West Rail 7-28-10



**XI. CONSIDERATION AND APPROVAL OF  
SUPPLEMENTAL WORK AUTHORIZATION NO. 5 TO  
WORK AUTHORIZATION NO. 16 FOR THE WEST RAIL  
PROJECT**

**Supplemental Work Authorization No. 5**  
**Work Authorization No. 16**

**CAMERON COUNTY REGIONAL MOBILITY AUTHORITY**  
General Engineering Consultant Services

**SUPPLEMENTAL WORK AUTHORIZATION NO. 5**  
**WORK AUTHORIZATION NO. 16**  
West Rail Relocation PS&E

This Supplemental Work Authorization No. 5 to Work Authorization No. 16 is made pursuant to the terms and conditions of the Base Contract, effective February 16, 2006, hereinafter identified as the "Agreement", entered into by and between Cameron County Regional Mobility Authority (the "AUTHORITY"), and HNTB Corporation (the "CONSULTANT").

**Part 1.** The CONSULTANT will provide the following engineering services:

The responsibilities of the CONSULTANT and the schedule are further detailed in Exhibits B, and C.

**Part 2.** The Lump Sum amount payable for services performed under this Supplemental Work Authorization No. 5 to Work Authorization No. 16 is **\$44,070.00**, which increases the total amount payable from \$376,227.00 to \$420,347.00. A fee schedule used to establish the amount payable is attached hereto as Exhibit D. The CONSULTANT may alter the compensation distribution between individual phases, tasks or work assignments to be consistent with the services actually rendered, within the total lump sum amount.

The lump sum includes compensation for the services, subconsultant costs, if any, and appropriate factors for labor, overhead, profit and reimbursable expenses.

Although the CONSULTANT recognizes and accepts the ordinary risks and/or benefits of a lump sum fee structure, the parties agree to negotiate adjustment of the lump sum amount if there has been, or is to be, a material change in the: (a) scope, complexity or character of the services or the project; (b) conditions under which the services are required to be performed; or (c) duration of the services, if a change in the schedule warrants such adjustment in accordance with the terms of this Agreement.

**Part 3.** Payment to the CONSULTANT for the services established in Supplemental Work Authorization No. 5 to Work Authorization No. 16 shall be made in accordance with the Agreement.

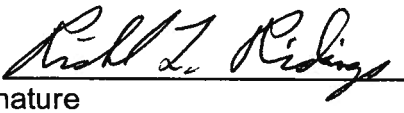
**Supplemental Work Authorization No. 5**  
**Work Authorization No. 16**

**Part 4.** This Supplemental Work Authorization No. 5 to Work Authorization No. 16 is effective as of April 13, 2010 and does not change the termination date of August 30, 2010.

**Part 5.** This Supplemental Work Authorization No. 5 to Work Authorization No. 16 does not waive the parties' responsibilities and obligations provided under the Agreement.

**Part 6.** This Supplemental Work Authorization No. 5 to Work Authorization No. 16 is hereby accepted and acknowledged below.

CONSULTANT  
HNTB Corporation

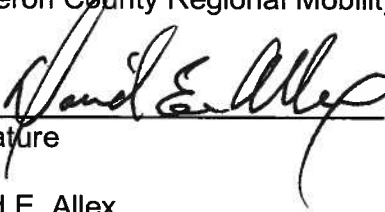
By:   
Signature

Richard L. Ridings, P.E., RPLS  
Printed Name

Vice President  
Title

4/13/10  
Date

AUTHORITY:  
Cameron County Regional Mobility Authority

By:   
Signature

David E. Alex  
Printed Name

Chairman  
Title

4-13-10  
Date

**LIST OF EXHIBITS**

- Exhibit B - Services to be Provided by the Consultant
- Exhibit C - Work Schedule
- Exhibit D - Fee Schedule