

*

INTERAGENCY COOPERATION CONTRACT
Contract FSF 45

THE STATE OF TEXAS **

THE COUNTY OF TRAVIS **

THIS CONTRACT is entered into by and between the State agencies shown below as Contracting Parties, pursuant to the authority granted and in compliance with the provisions of Section 29 of Acts 1991, 72nd Legislature, Chapter 641, "The Interagency Cooperation Act". This contract is a continuation of work originally authorized by Interagency Cooperation Contract 5XXA1002 executed by Texas Department of Transportation on December 2, 1994 and by the Texas Turnpike Authority on September 20, 1994, and the supplements and extensions thereto executed by the Texas Department of Transportation September 1, 1995 and by the Texas Turnpike Authority on August 1, 1995.

I. CONTRACTING PARTIES:

The Receiving Agency: Texas Department of Transportation ("TxDOT") VID36016016010000

The Performing Agency: Texas Turnpike Authority ("TTA") VID17600042859000

II. STATEMENT OF SERVICES TO BE PERFORMED:

The TTA has entered into specialized engineering contracts with the consulting engineering firms Brown & Root, Inc. ("B&R"), and with Turner Collie & Braden, Inc ("TCB") for civil engineering, environmental and economic studies and project development cost, with Wilbur Smith Associates ("WSA") for traffic and revenue analyses and projections, and with Rauscher Pierce Refsnes, Inc. for financing studies, all of which efforts will produce an Investment Grade Feasibility Study of SH161 between IH635 and West Belt Line Road in Irving (4.3 miles) to determine the viability of the highway to be constructed and operated as a Turnpike Project of the TTA. The Texas Transportation Commission, by Minute Order No. 106565 ("Exhibit 1"), and the Board of Directors of the TTA by resolutions No.'s 1562, 1623, 1624, and 1644 ("Exhibit 2") have agreed to the performance of said studies. TxDOT will reimburse TTA for 10%, or up to \$65,000, of the cost of the aggregate studies required to determine the feasibility of this western extension to SH190 as a Turnpike Project of the TTA.

The TTA has entered into specialized engineering contracts with the consulting engineering firms HNTB Corporation ("HNTB") for civil engineering, environmental, and economic studies and for project cost estimates, with Wilbur Smith Associates ("WSA") for traffic and revenue analyses and projections, and with First Southwest Company for financing studies, all of which efforts will produce an Investment Grade Feasibility Study of SH190 between SH78 in Garland and IH635 in Farmers Branch (26 miles) to determine the viability of the highway to be constructed and operated as a Turnpike Project of the TTA.

III. BASIS FOR CALCULATING REIMBURSABLE COSTS:

See Appendices A, B, C and D for the contracts/proposals from HNTB, WSA, B&R, and TCB, respectively.

IV. CONTRACT AMOUNT:

The total amount of reimbursement to TTA from TxDOT under Contract shall not exceed:

Sixty-five Thousand and No/Dollars (\$65,000.00)

(words and figures)

V. PAYMENT FOR SERVICES:

Receiving Agency shall pay for services received from appropriation items or accounts of the Receiving Agency from which like expenditures would normally be paid, based upon vouchers drawn by the Receiving Agency payable to Performing Agency.

Payments shall be billed: Lump sum (upon completion of work)
(weekly, monthly, lump sum, etc.)

Payments received by the Performing Agency shall be credited to its current appropriation item(s) or account(s) from which the expenditures of that character were originally made.

VI. TERM OF CONTRACT:

This contract is to begin upon the date of final execution, and shall terminate August 31, 1997 (Term of contract cannot transcend the biennium.)

THE UNDERSIGNED AGREEING parties do hereby certify that:

1. The services specified above are necessary and essential for activities that are properly within the statutory functions and programs of the effected agencies of State Government.
2. The proposed arrangements serve the interest of efficient and economical administration of the State Government.
3. The services, supplies, or materials agreed upon are not required by Section 21 of Article 16 of the Constitution of Texas to be supplied under contract given to the lowest responsible bidder.

RECEIVING AGENCY further certifies that it has the authority to request for the above services by authority granted in Chapter 361.042 of the Texas Transportation Code (Statute, Constitution, Special Provision of Appropriation Bill)

PERFORMING AGENCY further certifies that it has the authority to perform the services agreed upon above by authority granted in Chapter 201 et. seq. of the Texas Transportation Code (Statute, Constitution, Special Provision of Appropriation Bill)

The undersigned parties bind themselves to the faithful performance of this contract.

RECEIVING AGENCY

PERFORMING AGENCY

Texas Department of Transportation

Texas Turnpike Authority

Name of Agency

Name of Agency

BY:

BY:

Thomas A. Griebel

James W. Griffin

Assistant Executive Director

Executive Director

Multimodal Transportation

Title

Title

Date: 2/27/97

Date: February 27, 1997

TEXAS TRANSPORTATION COMMISSION

DALLAS _____ County

MINUTE ORDER

Page 1 of 2 PagesDistrict DALLAS

WHEREAS, the Texas Department of Transportation's (the "department's") efforts to develop STATE HIGHWAY 161 in DALLAS COUNTY have been ongoing since original authorization of the project by the then-State Highway and Public Transportation Commission; and

WHEREAS, a four lane freeway with three lane frontage roads in each direction has been constructed and is now open to traffic between State Highway 183 and Belt Line Road in the City of Irving; and

WHEREAS, frontage roads have been constructed in Irving between Belt Line Road and Interstate Highway 635; however, economic conditions and budgetary constraints have hindered the ability of the department to advance development of the main lanes through this area in a timely manner; and

WHEREAS, the State Highway 161 main lane project is not included in the 1996 Project Development Plan; and

WHEREAS, recognizing funding limitations at the local, state and federal levels, both the City of Irving and the North Texas Transportation Authority have through resolutions expressed interest in exploring the feasibility of developing the State Highway 161 main lanes from Interstate Highway 635 to Belt Line Road in Irving as a turnpike; and

WHEREAS, should the State Highway 161 main lanes prove feasible for development as a turnpike and ultimately approved by the Texas Transportation Commission (the "commission") as a turnpike project, such action would in effect extend the limits of the President George Bush Turnpike approved by the commission on October 26, 1995; and

WHEREAS, Transportation Code, Chapter 361, established a Texas Turnpike Authority Feasibility Study Fund and requires that the Texas Turnpike Authority (the "authority") obtain approval from the commission before expending money from the fund; and

WHEREAS, on October 26, 1995, the commission adopted on an emergency basis Title 43, Texas Administrative Code, Section 27.22, which establishes the criteria by which the commission will approve authority feasibility studies; and

WHEREAS, in response to the interest of local officials, the authority has requested authorization to expend funds from its Feasibility Study Fund and has asked that the department contribute to the cost of the proposed feasibility study; and

WHEREAS, with regards to the proposed State Highway 161 feasibility study, having duly considered all applicable conditions and requisites, the commission finds that the authority has satisfied the provisions of Section 27.22;

TEXAS TRANSPORTATION COMMISSION

DALLAS County

MINUTE ORDER

Page 2 of 2 Pages

District DALLAS

NOW, THEREFORE, IT IS ORDERED that the authority is hereby authorized to expend up to \$650,000 from the Texas Turnpike Authority Feasibility Study Fund for the purpose of evaluating the viability of developing the State Highway 161 main lanes between Interstate Highway 635 and Belt Line Road in Irving as a turnpike project in lieu of the department developing the State Highway 161 main lanes as part of the designated state highway system;

BE IT FURTHER ORDERED that the department is directed to contribute 10% of the cost of said study, up to an amount not to exceed \$65,000, and that the executive director, or his designee, is authorized to enter into any necessary agreements or contracts with the authority in order to proceed with the authorized feasibility study.

Submitted and reviewed by



Assistant Executive Director for
Multimodal Transportation

Recommended by



Executive Director

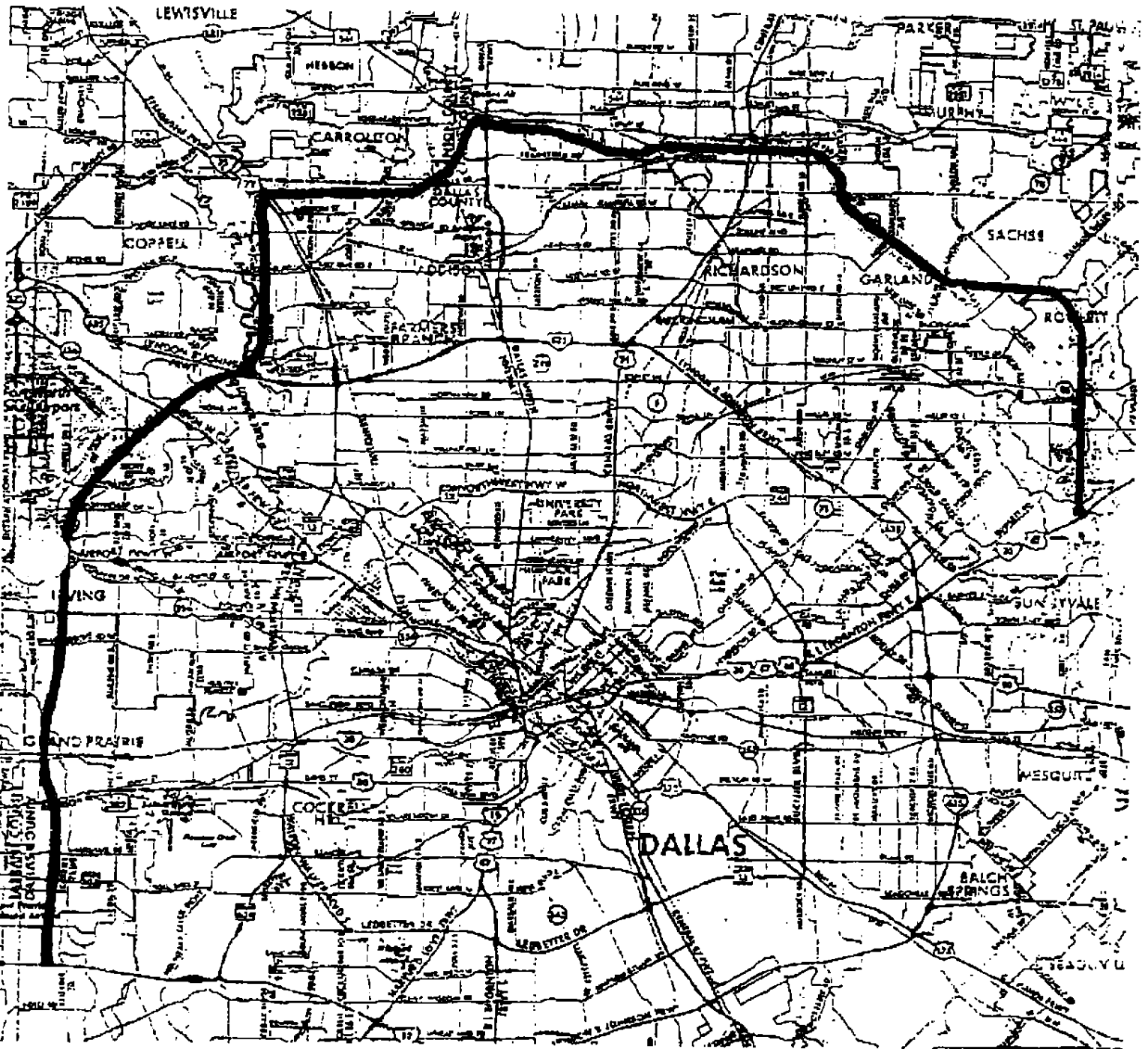
Minute Number

106565

Dated Passed

DEC 21 95

APPROXIMATE ROUTE LOCATION



SH 161 - Under Injunction

SH 161 - Freeway Construction Complete

SH 161 - Frontage Roads Complete

SH 190/President George Bush Turnpike

SH 190 - Turnpike Feasibility Study (MO #105342)

TEXAS TURNPIKE AUTHORITY
BOARD OF DIRECTORS MEETING
SEPTEMBER 13, 1995
ATTACHMENT 6

RESOLUTION NO. 1562

WHEREAS, the staff of the Texas Turnpike Authority (the "TTA"), based on traffic projections of the Dallas Area Metropolitan Planning Organization, believes the TTA should investigate the feasibility of a westward extension of the 190 Turnpike (Extension "W") beginning at IH 635 and extending 4.3 miles southwestward to West Belt Line Road in Irving and the TTA staff further believes that the construction and operation of 190T-W as a turnpike project will enhance the financial feasibility of the core 190T project; and

WHEREAS, the TTA Board of Directors desires to perform an investment grade feasibility study of Extension "W" to West Belt Line Road and to develop 190T-W as a part of 190T if feasibility can be found;

NOW THEREFORE BE IT RESOLVED, that the Board of Directors of the TTA hereby authorizes and directs its Executive Director to seek resolutions supporting investment grade feasibility studies of 190T-W from Dallas County and the City of Irving and, that if such resolutions of support seem forthcoming, the TTA will issue a Request for Qualifications for traffic and revenue engineers and a Request for Qualifications for civil engineers to conduct traffic and revenue and civil engineering investment grade feasibility studies, respectively, on 190T-W; and

BE IT FURTHER RESOLVED, that the staff of the TTA seek a ten percent (10%) financial participation by the Texas Transportation Commission (the "Commission") in the cost of the feasibility study as the Commission agreed to incur on 190T and 190T-E.