

**CAMINO REAL REGIONAL MOBILITY AUTHORITY  
BOARD RESOLUTION**

**WHEREAS**, the Camino Real Regional Mobility Authority (CRRMA) and the Texas Department of Transportation (TxDOT) have agreed that it would be to the region's benefit to cooperatively develop the Loop 375 at I-10 Americas Interchange;

**WHEREAS**, the parties commenced the construction of three direct connectors for this interchange and subsequently agreed that the CRRMA should design a fourth direct connector (westbound to northbound - WBNB) to be constructed by TxDOT through Proposition 12 funds allocated to the region;

**WHEREAS**, the parties subsequently agreed that due to certain funding availabilities but limited by associated timing restrictions, the CRRMA would also design and TxDOT would construct a fifth direct connector (westbound to southbound - WBSB) and entered into a project development agreement (PDA) to that effect;

**WHEREAS**, a potential funding source has become available for an additional direct connector (eastbound to southbound - EBSB), with similar funding timing limitations, and the parties desire to use the same design/construction approach in order for the region to benefit from such potential funds and further desire to amend the PDA to allow the CRRMA to also design the EBSB direct connector of the Americas Interchange in an expedited manner;

**NOW, THEREFORE, BE IT RESOLVED BY THE CAMINO REAL REGIONAL MOBILITY AUTHORITY:**

**THAT** the Executive Director be authorized to execute an Amendment No. 1 to the Project Development Agreement with the Texas Department of Transportation dated March 22, 2012 to increase the scope of such agreement for the development of the eastbound to southbound direct connector for the I-10 at Loop 375 (Americas Interchange) Project.

**PASSED AND APPROVED THIS 23<sup>RD</sup> DAY OF MAY, 2012.**

**CAMINO REAL REGIONAL  
MOBILITY AUTHORITY**

**ATTEST:**

\_\_\_\_\_  
Ralph Adame, Vice Chair

\_\_\_\_\_  
Susan A. Melendez, Board Secretary

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Raymond L. Telles  
Executive Director

## AMENDMENT NO. 1

### PROJECT DEVELOPMENT AGREEMENT

#### I-10 at Loop 375 Interchange Westbound to Southbound Direct Connector Project

**THIS AMENDMENT NO. 1 TO THE PROJECT DEVELOPMENT AGREEMENT** for the I-10 at Loop 375 Interchange Westbound to Southbound Direct Connector Project (this "Amendment") effective as of the \_\_\_\_ day of \_\_\_\_\_, 2012 (the "Effective Date"), is made by and between the **TEXAS DEPARTMENT OF TRANSPORTATION** ("TxDOT"), an agency of the State of Texas, and the **CAMINO REAL REGIONAL MOBILITY AUTHORITY** ("Authority"), a political subdivision of the State of Texas.

WHEREAS, TxDOT and the Authority entered into a Project Development Agreement, effective as of March 22, 2012 for the purpose of clarifying the relationship between TxDOT and the Authority in connection with the design of a westbound to southbound direct connector improvement to the I-10 at Loop 375 Interchange in El Paso County (the "PDA"); and

WHEREAS, the parties have mutually agreed to increase the scope of work as reflected in Paragraph 1 and Exhibit B of the PDA to include the design of an additional direct connector to the I-10 at Loop 375 Interchange described as an eastbound to southbound direct connector and to increase the estimated costs to be incurred in carrying out the design services as reflected in Paragraph 2 of the PDA; and

WHEREAS, capitalized terms not defined herein shall have the meanings given to them in the PDA.

NOW THEREFORE in consideration of the agreements herein contained, the Parties hereto agree as follows:

**A. Amendment to Paragraph 1.** The parties hereby agree to delete Paragraph 1 of the PDA in its entirety and replace it with the following:

**1. Scope of Work - Authority.** As of the effective date of this Agreement, the Authority is authorized to commence and will undertake and diligently perform the services and work on the Project, as more fully described in Exhibit B-1, Project Description and Authority Scope of Work ("Authority Work") to be performed for the Project located within the area more fully described in Exhibit A-1, Location Map of Project Limits. The Authority Work contemplated herein is limited to the design only of a fifth direct connector from I-10 westbound to Loop 375 southbound for the I-10 at Loop 375 Interchange, and a sixth direct connector from I-10 eastbound to Loop 375 southbound for the I-10 at Loop 375 Interchange, and does not include construction or any other work associated with the Project.

**B. Amendment to Paragraph 2.** The parties hereby agree to delete Paragraph 2 of the PDA in its entirety and replace it with the following:

**2. Sources of Funds.** The parties acknowledge and agree that total funding for the work to be performed by the Authority hereunder is anticipated to be \$2,750,000 to be provided by TxDOT.

**C. Amendment to Exhibit A.** The parties hereby agree to delete Exhibit A in its entirety and replace it with Exhibit A-1.

**D. Amendment to Exhibit B.** The parties hereby agree to delete Exhibit B in its entirety and replace it with Exhibit B-1.

**E. Ratification.** Except as expressly amended by this Amendment, the PDA and the Exhibits thereto shall remain in full force and effect. None of the rights, interests and obligations existing and to exist under the PDA are hereby released, diminished or impaired, and the parties hereby reaffirm all covenants, representations and warranties, obligations and agreements in the PDA. To the extent any provisions of the PDA are deleted by virtue of this Amendment, such provisions shall nevertheless survive for purposes of enforcing rights or obligations as provided in this Amendment.

**F. Execution in Counterparts.** For the convenience of the parties, this Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

**G. Governing Law.** This Amendment shall be governed and construed in accordance with the terms of the PDA.

The undersigned signatory for TxDOT and the Authority hereby represents and warrants that he has full and complete authority to enter into this Amendment to the PDA on behalf of the party represented, that such Amendment has received the approval necessary from the organization he represents, and to bind such party in accordance with the terms and conditions of the PDA as amended hereby.

IN WITNESS HEREOF, TxDOT and the Authority have executed this Amendment effective as of the date set forth above.

TEXAS DEPARTMENT OF  
TRANSPORTATION

By: \_\_\_\_\_  
Name: Phil Wilson  
Title: Executive Director  
Date: \_\_\_\_\_

CAMINO REAL REGIONAL MOBILITY  
AUTHORITY

By: \_\_\_\_\_  
Name: Raymond L. Telles  
Title: Executive Director  
Date: \_\_\_\_\_

Exhibit A-1

## **EXHIBIT B-1**

### **I-10 at Loop 375 Interchange Westbound to Southbound Direct Connector Project Project Description and Authority Scope of Work**

#### **GENERAL – Project Description**

The scope of work includes the detailed design (i.e., plans, specifications and estimate – PSE, but not including input into DCIS) of the I-10 westbound (WB) to Loop 375 (SB) southbound and the I-10 eastbound (EB) to Loop 375 (SB) direct connector ramps.

#### **I-10 WB to Loop 375 SB Direct Connector Ramp**

The CSJ number for the I-10 WB to Loop 375 SB direct connector ramp is 2121-04-089.

This direct connector will be designed as a two-lane ramp. The design will be based on the approved IH-10 at Loop 375 Interchange schematic and will include any work on the existing lanes of I-10 and Loop 375 necessary to accommodate construction, as well as any necessary realignment of the frontage roads of I-10 and Loop 375. The design will include design survey, geotechnical field and office services for design activities, subsurface utility engineering, bridge design including steel girder design, drainage revisions, including retention, modification/relocation of existing and additional proposed signage, pavement markings, and the coordination with utility companies for utilities in conflict with the construction of the direct connector. The Scope of Work does not include right-of-way engineering or acquisition.

The design includes the realignment and reconstruction of the existing eastbound to northbound cloverleaf ramp necessary to accommodate the structural elements of the direct connector, including any modifications to existing drainage structures and highmast lighting systems. The design will complement the aesthetic treatment of the existing interchange.

The design of the westbound to southbound direct connector will insure that vehicular traffic flows moving westbound to southbound are accommodated adequately through the I-10 at LP375 interchange when this direct connector is implemented in combination with the direct connector ramps that are under construction (eastbound to northbound, southbound to westbound, and northbound to westbound) or under design (westbound to northbound) as of the Effective Date of this Agreement, provided that the Authority is not responsible for the design and effectiveness of the other direct connectors which are not the subject of this Agreement but are part of the overall interchange. Temporary entrance or exit ramps between mainlanes and frontage roads of I-10 and Loop 375, or other operational elements, will be considered in the design to the extent permitted and if otherwise necessary.

Notwithstanding the preceding provision regarding temporary ramps, the design will be based upon the FHWA approved schematic provided by TxDOT, and no other FHWA approvals are anticipated.

**I-10 EB to Loop 375 SB Direct Connector Ramp**

The CSJ number for the I-10 EB to Loop 375 SB direct connector ramp is 2121-04-907.

This direct connector will be designed as a one-lane ramp. The design will be based on the approved IH-10 at Loop 375 Interchange schematic and will include any work on the existing lanes of I-10 and Loop 375 necessary to accommodate construction, as well as any necessary realignment of the frontage roads of I-10 and Loop 375. The design will include design survey, geotechnical field and office services for design activities, subsurface utility engineering, bridge design including steel girder design, drainage revisions, including retention, modification/relocation of existing and additional proposed signage, pavement markings, and the coordination with utility companies for utilities in conflict with the construction of the direct connector. The Scope of Work does not include right-of-way engineering or acquisition.

The design includes the realignment and reconstruction of the existing southbound to eastbound cloverleaf ramp necessary to accommodate the structural elements of the direct connector, including any modifications to existing drainage structures and highmast lighting systems. The design will complement the aesthetic treatment of the existing interchange.

The design of the eastbound to southbound direct connector will insure that vehicular traffic flows moving eastbound to southbound are accommodated adequately through the I-10 at LP375 interchange when this direct connector is implemented in combination with the direct connector ramps that are under construction (eastbound to northbound, southbound to westbound, and northbound to westbound) or under design (westbound to northbound) as of the Effective Date of this Agreement, provided that the Authority is not responsible for the design and effectiveness of the other direct connectors which are not the subject of this Agreement but are part of the overall interchange. Temporary entrance or exit ramps between mainlanes and frontage roads of I-10 and Loop 375, or other operational elements, will be considered in the design to the extent permitted and if otherwise necessary.

Notwithstanding the preceding provision regarding temporary ramps, the design will be based upon the FHWA approved schematic provided by TxDOT, and no other FHWA approvals are anticipated.