

TEXAS TRANSPORTATION COMMISSION

Dallas County

MINUTE ORDER

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Dallas District

The Texas Department of Transportation (department) has been evaluating the design, construction, financing, operation and maintenance of a project to reconstruct and widen Interstate Highway 635 from US 75 to I-30 in Dallas County, including the I-635/I-30 interchange improvements (I-635 LBJ East Project). The department has agreed to “grandfather” and permit the reconstruction of the existing one tolled managed lane in each direction as part of the project scope. The project will include the full reconstruction and widening of the facility from eight to ten general purpose lanes and the full reconstruction of the two existing tolled managed lanes, for a total of 12 general purpose and tolled managed lanes, construction of continuous frontage roads, and improvements to the I-635/I-30 interchange.

Transportation Code, Chapter 373 establishes a process for providing local toll project entities, including the North Texas Tollway Authority (NTTA), with the first option to develop, finance, construct, and operate toll projects located within the boundaries of the local toll project entity.

By resolution adopted on May 16, 2018, the NTTA Board of Directors elected to waive and decline to exercise the NTTA’s option to develop, finance, construct, and operate the I-635 LBJ East Project.

Transportation Code, §373.053 provides that if a local toll project entity fails or declines to exercise its option to develop, finance, construct, and operate a toll project, the department has 60 days after that date to decide whether it will exercise its option to develop, finance, construct, and operate the project. Transportation Code §373.007 provides that, unless otherwise provided by a toll project agreement under Transportation Code §373.006, or other agreement, an exercise of primacy over a phase of a toll project is an exercise of primacy over the entire project, with additional phases to be developed as the entity determines the phases financially feasible. The department has determined that its option to develop, finance, construct, and operate the I-635 LBJ East Project should be exercised.

Subchapter F, Chapter 223, Transportation Code prescribes the process by which the department may enter into a design-build contract with a private entity that provides for the design, construction, expansion, extension, related capital maintenance, rehabilitation, alteration, or repair of a highway project. Transportation Code §223.242 authorizes the department to enter into, in each fiscal year, up to three design-build contracts for highway projects with estimated construction costs of \$150 million or more.

The planned improvements for the I-635 LBJ East Project will provide continuous frontage roads and increased capacity through the addition of general purpose lanes from US 75 to I-30 that are critical to the region’s continued mobility and economic viability. The project will improve safety and mobility, enhance system continuity, and accommodate projected growth through the region. Increasing capacity will relieve congestion and reduce travel time as well as provide social and economic benefits locally, regionally and statewide.

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Transportation Code, §223.245 prescribes requirements for a design-build contract procurement, and requires the department to publish a notice advertising a request for qualifications in the *Texas Register* and on the department's Internet website.

IT IS THEREFORE ORDERED by the Texas Transportation Commission that the department's determination to exercise its option to develop, finance, construct and operate the I-635 LBJ East Project, pursuant to Transportation Code, §373.053, is approved.

IT IS FURTHER ORDERED that the department is authorized to issue a request for qualifications to design, develop, construct, and potentially maintain the I-635 LBJ East Project in Dallas County, from US 75 to I-30, and to publish in the *Texas Register* and post on the department's website a notice advertising the issuance of the request for qualifications.

Submitted and reviewed by:



Director, Project Finance,
Debt & Strategic Contracts Division

Recommended by:



Executive Director

115220 May 24 '18
Minute Date
Number Passed