

TEXAS TRANSPORTATION COMMISSION

DALLAS AND TARRANT Counties

MINUTE ORDER

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DALLAS AND FORT WORTH Districts

Subchapter E, Chapter 223, Transportation Code prescribes the process by which the Texas Department of Transportation (department) may enter into a comprehensive development agreement (CDA) with a private entity that provides for the design, development, financing, construction, maintenance, repair, operation, extension, or expansion of an eligible project.

The State Highway 183 corridor in the western portion of Dallas County and the eastern portion of Tarrant County is one of the most highly congested and mobility constrained corridors in the region. It has retained its basic configuration for through-lanes since the late 1970's, and although adjacent development has increased, the roadway's capacity has remained unchanged. The highway corridors that connect to the SH 183 corridor are also congested, and there is a need to address operational and capacity deficiencies in those corridors.

There exists the potential for expediting the development and completion of managed lane improvements to all or part of SH 183 from State Highway 121 to Interstate 35E and connecting facilities (SH 183 Managed Lanes Project) through the use of a CDA, and the employment of innovative methods for the development and financing of projects that are available with a CDA. Development of the SH 183 Managed Lanes Project is a crucial element to responding to traffic congestion throughout the Dallas/Fort Worth Metroplex. The inclusion of connecting facilities in the SH 183 Managed Lanes Project would greatly enhance the achievement of these project objectives.

The department is authorized to enter into a CDA for the portion of the project comprised of SH 183 from SH 121 to I-35E. The use of a CDA to deliver the improvements to the connecting facilities is subject to the enactment of legislation authorizing the department to enter into a CDA for those connecting facilities.

The SH 183 Managed Lanes Project will replace functionally obsolete, deteriorating infrastructure, as well as add capacity to these congested corridors. The inclusion of facilities connecting to the SH 183 corridor in the SH 183 Managed Lanes Project would improve mobility in the area by meeting future travel demand stemming from projected population growth and benefit the overall operation and financing of the project. Improvements to these corridors are critical to the region's continued mobility and economic vitality.

By Resolution 12-25, adopted on March 1, 2012, the North Texas Tollway Authority (NTTA) waived and declined to exercise the NTTA's option to develop, finance, construct, and operate a portion of the SH 183 Managed Lanes Project from SH 161 to I-35E pursuant to Transportation Code, §373.055, as described, and only upon the terms, in the resolution. In Minute Order 113045, dated March 29, 2012, the Texas Transportation Commission (commission) approved the department's determination to exercise its option to develop, finance, construct, and operate that portion of the SH 183 Managed Lanes Project. Transportation Code, §373.002 exempts the portion of the project from SH 121 to SH 161 from the requirement that the NTTA waive or decline to exercise its option.

Transportation Code, §223.203 prescribes requirements for a CDA procurement and requires the department to publish a notice advertising a request for qualifications in the *Texas Register* and in one or more newspapers of general circulation that includes the criteria that will be used to evaluate any qualification submittals, the relative weight given to the criteria, and a deadline by which qualification submittals must be received.

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The planned improvements will increase the capacity of the corridors, relieve congestion, reduce travel time, improve air quality, and provide social and economic benefits in the region. The SH 183 Managed Lanes Project will also provide a transportation system that will meet the travel needs of people, goods, and services safely, efficiently and economically.

IT IS THEREFORE ORDERED by the commission that the department is authorized to publish in the *Texas Register* and in one or more newspapers of general circulation a request for qualifications to develop, design, construct, finance, maintain, and operate all or part of the SH 183 Managed Lanes Project comprised of improvements to SH 183 from SH 121 to I-35E and any additional connecting facilities that are necessary for connectivity and financing purposes.

IT IS FURTHER ORDERED that the issuance of a request for qualifications that include the additional connecting facilities is subject to the enactment of legislation authorizing the department to enter into a CDA for any such connecting facility.

IT IS FURTHER ORDERED that the project scope described in the request for qualifications may only include the additional connecting facilities if the NTTA has elected to waive or decline to exercise its option to develop, finance, construct, and operate the connecting facilities.

Submitted and reviewed by:



Director, Strategic Projects Division

Recommended by:



Executive Director

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Minute
Number

Date
Passed