

TEXAS TRANSPORTATION COMMISSION

DALLAS County

MINUTE ORDER

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DALLAS District

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.

Senate Bill 1420, 82nd Legislature, Regular Session, 2011, amended Chapter 223, authorizing the department to enter into a CDA for eleven projects, including the SH 183 Managed Lanes Project, a project to redevelop an 8.9 mile section of SH 183 from SH 161 to I-35E/Trinity Parkway in Dallas County. The department's authority to enter into a CDA for the SH 183 Managed Lanes Project expires August 31, 2015.

The SH 183 (Airport Freeway) Corridor in the west portion of Dallas County and the east 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 SH 183 Managed Lanes Project will replace the functionally obsolete, deteriorating infrastructure, as well as add capacity to the corridor. Improvements to this corridor are critical to the region's continued mobility and economic vitality. The goals of the project are to facilitate the replacement of existing infrastructure that has reached or exceeded its design life; add additional capacity to an extremely congested corridor; utilize pricing as a mechanism to operate and fund parts of the project; and provide an additional link in the growing managed lane network to offer transportation options for optimizing mobility.

Transportation Code, Chapter 373 establishes a process for providing local toll project entities, including regional tollway authorities, regional mobility authorities, or counties acting under Transportation Code, Chapter 284, with the first option to develop, finance, construct, and operate toll projects located within the boundaries of the local toll project entity.

By Resolution 12-25, adopted on March 1, 2012, the North Texas Tollway Authority (NTTA) confirmed the NTTA's previous waivers of its first option to develop, finance, construct, and operate the SH 183 Managed Lanes Project, and waived and declined to exercise the NTTA's option to develop, finance, construct, and operate the SH 183 Managed Lanes Project pursuant to Transportation Code, §373.055, as described, and only upon the terms, in the resolution. Pursuant to Transportation Code, §373.053, the department has determined that its option to develop, finance, construct, and operate the SH 183 Managed Lanes Project should be exercised.

The development and completion of all or part of the SH 183 Managed Lanes Project could be expedited through the use of a public-private partnership agreement, and the employment of innovative methods for the development and financing of projects that are available with a public-private partnership agreement. Development of the SH 183 Managed Lanes Project is a crucial element to responding to traffic congestion throughout the Dallas/Fort Worth Metroplex.

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* 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 provide increased capacity through the use of congestion pricing on new managed lanes and the addition of new general purpose and frontage road lanes, and are critical to the region's continued mobility and economic viability. Increasing capacity of the corridor will relieve congestion, reduce travel time, and improve air quality, as well as provide social and economic benefits, locally, regionally, statewide, and nationwide. 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's determination to exercise its option to develop, finance, construct, and operate the SH 183 Managed Lanes Project, from SH 161 to I-35E/Trinity Parkway in Dallas County, pursuant to Transportation Code, §373.053, is approved, and the project is authorized with CONSTRUCT authority.

IT IS FURTHER ORDERED that the department is authorized to issue a request for qualifications for the development, design, construction, and, potentially, financing, maintenance, and operation of all or any portion of the SH 183 Managed Lanes Project from SH 161 to I-35E/Trinity Parkway, and to publish in the *Texas Register* and in one or more newspapers of general circulation in this state a notice advertising the request for qualifications.

Submitted and reviewed by:


Interim Director, Strategic Projects Division

Recommended by:


Executive Director

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Minute Number Date Passed