

TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

Page 1 of 2

HOUSTON 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 288 project in Brazoria and Harris counties. The department's authority to enter into a CDA for the SH 288 project expires August 31, 2015.

The SH 288 corridor in the southern portion of Harris County and the northern portion of Brazoria 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 1984. The SH 288 facility now carries over 180,000 vehicles per day and has the highest concentration of Texas Medical Center employees.

The ultimate SH 288 Toll Lanes Project will add four tolled lanes (two lanes in each direction) within the existing median, reconstruct the interchange at I-610 and add four new tolled direct connectors at BW 8. Improvements to this corridor are critical to the region's continued mobility and economic vitality. The goals of the project are to add capacity to an extremely congested corridor and utilize tolls as a pricing mechanism to operate and fund parts of the project.

On April 10, 2012, Harris County (County) approved a memorandum of understanding (MOU) with the department relating to the development, funding, construction, operation and maintenance of the SH 288 Toll Lanes Project. In the MOU, the County agreed to waive its primacy development rights and declined to develop a toll facility along the SH 288 corridor.

Under the MOU, TxDOT committed to construct a two-lane reversible toll facility between US 59 and a logical terminus at or near the Brazoria County line, which constitutes the first phase of the ultimate four-lane toll facility. In addition, TxDOT agreed to develop additional projects along FM 521 (Almeda) and FM 865 (Cullen), and to develop a direct connector to the Texas Medical Center area. Under the MOU, if requested by the department, the County will install and operate toll equipment, collect tolls and process violations on the tolled lanes for a mutually agreed upon fee. The two future toll lanes will be constructed when traffic and revenue warrants.

The development and completion of all or part of the SH 288 Toll 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 288 Toll Lanes Project is a crucial element to responding to traffic congestion in Harris and Brazoria Counties.

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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Page 2 of 2

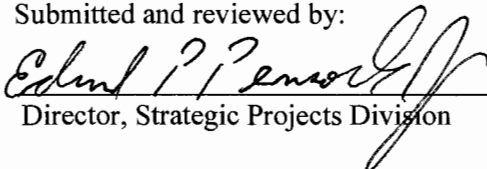
HOUSTON District

The planned improvements will provide increased capacity through the use of new toll lanes. Increasing the 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 288 Toll 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 develop, finance, construct, and operate the SH 288 Toll Lanes Project, from US 59 to a logical terminus at or near the Brazoria County line, and the project is authorized with CONSTRUCT authority.

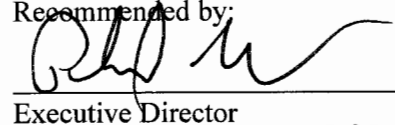
IT IS FURTHER ORDERED that the department is authorized to issue a request for qualifications for the development, design, construction, and, potentially, financing, maintenance, and operation of all or any portion of the SH 288 Toll Lanes Project from US 59 to a logical terminus at or near the Brazoria County line, 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:



Director, Strategic Projects Division

Recommended by:



Executive Director

113075 APR 26 12

Minute Date
Number Passed