

Alamo Regional Mobility Authority

*Meeting May 14, 2008, 2:00p.m.,
in the 1st Floor Conference Room of Transguide, at 3500 N.W. Loop 410.*

Minutes

1. **Call meeting to order.** Chairman Thornton called the meeting to order at 2:00 p.m. All Board members with the exception of M.C. Rodriguez, who joined the Board during Executive Session, were present.

2. **Approval of the Minutes of the March 12, 2008 Board of Directors meeting.**

B. Thompson made the motion to approve the minutes as presented. J. Reed seconded. Motion approved by a 7-0 vote.

3. **Discussion and appropriate action on selection of the best value proposer for the 281 North Design/Build Comprehensive Development Agreement (CDA).** T. Brechtel stated to the Board that the RMA had specific goals in mind to be met by the proposals, and that a fixed price and time certain delivery factored in determining the best value team. T. Brechtel went over the detailed proposal team makeup, including the equity and non-equity members of both teams. T. Brechtel then went over the roles and responsibilities of the reviewing individuals and the review committees.

T. Brechtel went over the 281 North Toll Project Design Build CDA proposal Evaluation and Best Value Selection Recommendation. T. Brechtel outlined the decision before the Alamo RMA Board of Directors and the choice before them as flows; accepting staff recommendation and authorizing the finalization of a contract with the apparent best value proposer, revise the scope and ask for new proposal prices or cancel the procurement.

The Design Build process was pursued to create competition in time, in price, and in technical approach to produce the overall best value for the Alamo RMA. That was measured by price, technical approach, schedule, and innovation and creative value. The proposals were evaluated under a blind price and technical score process. The Price Evaluation Committee and the Evaluation and Selection Recommendation Committee were not permitted to discuss the results from their respective reviews, with each other.

Thirty percent of the total score to determine the Best Value Proposer came from the technical proposal. The technical review team only saw the technical aspects of the proposal and was not aware of the price component. Each proposal was judged as a stand alone submission and was not compared against the other proposal in determining point awards by the Evaluation and Selection Recommendation Committee or the Technical Advisory Committees. There were five major categories that the Evaluation and Selection Recommendation Committee and technical Advisory evaluated the proposals on. Those five categories were Project Management Plan, Development Plan, Community Outreach Plan, Value Added Concepts, and Alternative Proposal. Within those five categories there were 158 separate sub categories which were subjected to detailed analysis.

Upon receipt of the proposals, the price component was removed and a random identification letter (A and B) was assigned to each team to ensure the price review team did not know which team was submitting which price.

Throughout the process TxDOT and FHWA were present to ensure compliance with their respective regulations.

T. Brechtel went over each proposing teams' technical score. Based on the Evaluation and Selection Recommendation Committee review, the Cibolo Creek Infrastructure Joint Venture was awarded a total technical score of 74.25 out of a possible 100 points. Based on the Evaluation and Selection Recommendation Committee, the Zachry Archer-Western team was awarded a total of 68.68 points out of a possible 100 points. From the computation, as outlined in the request for detailed proposals, the highest technical score was then awarded a full 30 points toward the final score, while the second highest score was awarded a proportional score from of the 30 points.

The price proposal value was made up of two key components, the first being the net present value price, and the second a schedule adjustment factor based on the commitment of the design build team to complete the project within a specified number of days. T. Brechtel went over the price proposal calculation and price proposal summary. Cibolo Creek Infrastructure submitted a guaranteed price of \$330,469,406.09 and a guaranteed schedule of 2302 days substantial completion of phases one and two. Zachry submitted a guaranteed price of \$392,887,219.00 and a guaranteed schedule of 2555 days substantial completion of phases one and two. The schedule differential resulted in approximately \$4,700,000 being added to the price computation for the Zachry score. Cibolo Creek Infrastructure has a final price score of 70 and Zachry had a final price score of 58.67.

When combined with the technical scores, Cibolo Creek Infrastructure had a final total proposal score of 100, and Zachry had a final total proposal score of 86.42.

T. Brechtel stated that it was the Staff's recommendation to the Board that the Board direct staff to finalize a contract with Cibolo Creek Infrastructure for a contract of \$330,469,406.09 and to have the entire project complete in 2302 days after issuance of notice to proceed.

Board members each expressed their belief that the selection of the best value proposal process was unbiased and conducted justly. They each congratulated Cibolo Creek Infrastructure for winning, and then thanked Zachry for their proposal. Board members spoke highly of Zachry's past relationship with San Antonio and the community.

R. Diaz made the motion to accept Staff's recommendation to enter into a Design/Build Comprehensive Development Agreement with Cibolo Creek Infrastructure for the 281 North Toll project. H. Muñoz seconded the motion. Motion carried by a 7-0 vote.

A copy of the power point presentation from this item is on file with the official minutes from this meeting.

Chairman Thornton, R. Diaz, and H. Muñoz excused themselves from the meeting and Vice Chair M. C. Rodriguez presided for the next two items of the agenda.

4. **Discussion and appropriate action on adoption of Right of Way Acquisition Process and Policy.** T. Brechtel gave a brief overview of the Right of Way Acquisition Process and Policy to the

Board. T. Brechtel stated that additional right of way is needed in order to construct the 281 North project from Marshall Road to the Bexar / Comal County Line. The Right of Way Acquisition Process and Policy will provide guidance for the Alamo RMA staff, consultants, and the public of the steps and process the Alamo RMA will follow in securing necessary right of way on this corridor, as well as with future projects.

J. Reed stated that this policy ties into the RMA's public involvement because if any one has a question about how the process works, they can be given a copy of the policies manual since it details the process that will be taken in regards to right of way acquisition and condemnation.

J. Reed made the motion to adopt the Right of Way Acquisition Process and Policy as presented to the Board. R. Thompson seconded. Motion carried by a 4-0 vote. Chairman Thornton, R. Diaz, and H. Muñoz were not present on this item.

5. **Discussion and appropriate action on the financial statements for the periods ending March 31, 2008 and April 30, 2008.** C. Conner presented the financial statements for period ending April 30, 2008 and informed the Board the March 31, 2008 financial statements were included in their packet for review and any questions. She reviewed the balance sheet, described the assets, liabilities, and fund equity; the statement of revenue, expenses, and changes in fund deficit, explained the monies allocated for each column, and the statement of cash flow.

R. Thompson made the motion to accept the financial statements as presented. J. Jenkins seconded. Motion carried by a 4-0 vote. Chairman Thornton, R. Diaz, and H. Muñoz were not present on this item.

6. **Citizens to speak.** Chairman Thornton and R. Diaz returned to the dais prior to this item being considered. No citizens signed up to speak.
7. **Presentation/briefing - Executive Director Report.** T. Brechtel went over the GEC report for the month of April and the Board calendars for May through July.
8. **Executive Session.** Chairman Thornton adjourned the meeting at 2:03 p.m. for an Executive Session. Chairman Thornton stated that Pursuant to Chapter 551, Subchapter D, Subsection 551.071(1) of the Texas Government Code, the Board would be meeting in Executive Session to Consult with Attorney concerning pending/contemplated litigation on the 281 North Toll project.

Chairman Thornton reconvened the meeting at 2:34 p.m. Chairman Thornton stated that no action was taken by the Board.

There being no further business to come before the board, Chairman Thornton adjourned the meeting at 3:35 p.m.

APPROVED:



DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 6/11/2008

I hereby certify that the above foregoing pages constitute the full, true, and correct minutes of all the proceedings and official records of the Alamo Regional Mobility Authority at its meeting on May 14, 2008.

ATTEST:



REYNALDO L. DIAZ, JR
SECRETARY/TREASURER