



Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. · 125 E. 11TH STREET · AUSTIN, TEXAS 78701-2483 · (512) 463-8585

October 19, 2011

Michael Morris, P.E.
 Transportation Director
 North Central Texas Council of Governments
 P. O. Box 5888
 Arlington, Texas 76005-5888

RE: SB 1420 Committee Members

Dear Mr. Morris:

As you are likely aware, the Texas Department of Transportation (TxDOT) is engaged in project development activities associated with the planned redevelopment of a 28-mile section of I-35E from I-635 to US 380 in Dallas and Denton Counties (the I-35E Managed Lanes Project).

In Minute Order 112840, dated September 29, 2011, the Texas Transportation Commission authorized TxDOT to issue a request for qualifications to develop, design, construct, finance, maintain, and operate all or any portion of the I-35E Managed Lanes Project. TxDOT and local stakeholders are currently analyzing options for the financing and delivery of the I-35E Managed Lanes Project, including the possible use of a design-build contract, concession agreement, or availability payment contract.

Section 228.013, Transportation Code and TxDOT's rules implementing that section provide that a committee comprised of representatives from TxDOT, the North Central Texas Council of Governments (NCTCOG), the North Texas Tollway Authority (NTTA), and each city or county that provides funding or right-of-way for a toll project that will be developed under a concession agreement or availability payment contract must be formed; and must issue a report containing the committee's determinations concerning the distribution of the project's financial risk, the method of financing for the project, and, unless the project is subject to a regional tolling policy, the project's tolling structure and methodology. The committee's report will be used to determine the project's delivery method.

TxDOT and local stakeholders have determined those entities that may be eligible to appoint members of the committee under Section 228.013 and TxDOT's rules. The purpose of this letter is to request that NCTCOG appoint one member to represent NCTCOG on the committee, and that you provide a copy of the resolution or other action making or authorizing the appointment.

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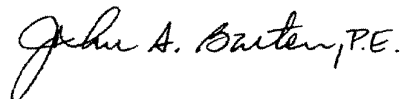
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Since the committee's report will determine the delivery method for the I-35E Managed Lanes Project, the report should be issued prior to the issuance of the request for qualifications for the project. Under TxDOT's current project schedule, the request for qualifications will be issued by the end of November. After formation of the committee, meeting dates and meeting agendas must be set. Committee meetings will be open to the public, and TxDOT's rules require notices of meetings to be submitted to Office of the Secretary of State at least eight days prior to the date of the meeting.

To maintain this schedule, committee members should be appointed by October 31, 2011. This would allow the committee to hold multiple meetings, if necessary, to approve the required determinations and issue a report prior to November 23, 2011. Any delays in appointing members and holding committee meetings will delay the issuance of a report and the development of the I-35 Managed Lanes Project.

TxDOT looks forward to working with NCTCOG and the other stakeholders in the successful development, construction, and operation of the I-35E Managed Lanes Project. If you have any questions or would like additional information, please contact me at (512) 305-9501, or should your staff have any questions, they may contact Bill Hale, Dallas District Engineer, at (214) 320-6110.

Sincerely,



John A. Barton, P.E.
Interim Deputy Executive Director

cc: Bill Hale, P.E., Dallas District Engineer, TxDOT

SB 1420 Letter, October 19, 2011
Mailing list

Name	Title	Entity
Michael Morris	Transportation Director	NCTCOG
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Andy Eads	Commissioner	Denton Co.
Hugh Coleman	Commissioner	Denton Co.
Ron Marchant	Commissioner	Denton Co.
Bobbie Mitchell	Commissioner	Denton Co.
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