

These are the minutes of the special meeting of the Texas Transportation Commission held on July 13, 2016, in Austin, Texas. The meeting was called to order at 2:00 p.m. by Chairman Lewis. Commissioners Austin, Vandergriff, and Bugg joined the meeting via video teleconference. Commissioner Ryan did not attend the meeting.

Texas Transportation Commission:

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| Tryon D. Lewis | Chairman |
| Jeff Austin, III | Commissioner |
| Victor Vandergriff | Commissioner |
| J. Bruce Bugg | Commissioner |
| Laura Ryan | Commissioner |

Administrative Staff:

James Bass, Executive Director
 Jeff Graham, General Counsel
 Robin Carter, Commission Chief Clerk

A public notice of this meeting containing all items on the proposed agenda was filed in the Office of the Secretary of State at 2:27 p.m. on July 5, 2016, as required by Government Code, Chapter 551, referred to as “The Open Meetings Act.”

ITEM 1. Safety Briefing

This item was presented by Executive Director James Bass.

ITEM 2. Contracts

Award or reject contracts for Highway and Transportation Enhancement Building Construction (see attached itemized list) (MO)

This item was presented by Construction Division Director Tracy Cain. Commissioner Austin made a motion, which was seconded by Commissioner Vandergriff, and the commission approved the following minute order by a vote of 4 - 0.

114643

Pursuant to Transportation Code, Chapter 223, Subchapter A, and Title 43, Texas Administrative Code, Chapter 9, Subchapter B, the Texas Department of Transportation (department) solicited and received sealed competitive bid proposals for improvement of the State Highway System, which were publicly opened and read on June 7 and 8, 2016, as shown on Exhibit A.

Pursuant to cited code provisions highway improvement contract bids on a project may be accepted, rejected or deferred, but if accepted must be awarded to the lowest bidder.

An award is conditional in the event it is subject to Federal Highway Administration concurrence, third party funding or concurrence, and other conditions listed in the contract or an exhibit to this order.

The department recommends that the Texas Transportation Commission (commission) respectively award to the lowest bidder or reject, as indicated, those highway and transportation enhancement building construction contracts identified on attached Exhibit A to this order.

IT IS THEREFORE ORDERED by the commission that the contracts described in Exhibit A, be and are hereby respectively awarded to the lowest bidder or rejected as indicated therein.

If a contractual requirement of award is not satisfied within the prescribed time limit, including any extension of time allowed by the executive director or the director's designee, by reason of the action or inaction of the successful low bidder on any contract, including, but not limited to, disadvantaged business/historically underutilized business participation, the contract is automatically in default and the executive director is authorized and directed to retain and deposit the related contract proposal guaranty to the credit of the State Highway Fund and to readvertise that project for competitive bids at the earliest practical subsequent date.

If a condition of award is not satisfied, including, but not limited to, reason of nonconcurrence of the Federal Highway Administration, the failure of a third party to fund or concur, or failure to meet other conditions in the contract or an exhibit to this order, the respective award is voided and the department will return the bid guaranty.

Note: Exhibit A is on file with the commission chief clerk.

ITEM 3. Executive Session Pursuant to Government Code, Chapter 551

a. Section 551.071 - Consultation with and advice from legal counsel regarding any item on this agenda, pending or contemplated litigation, or other legal matters.

The commission did not meet in executive session.

Commissioner Bugg motioned adjournment and Commissioner Austin seconded the motion. The commission voted 4 - 0 to adjourn. The special meeting of the Texas Transportation Commission was adjourned at 2:06 p.m.

APPROVED:



Tryon D. Lewis, Chairman
Texas Transportation Commission

July 13, 2016

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I hereby certify that the above and foregoing pages constitute the full, true, and correct record of all proceedings and official records of the Texas Transportation Commission at its special meeting on July 13, 2016, in Austin, Texas.



Robin Carter, Commission Chief Clerk
Texas Department of Transportation