

August 29, 1985

Minutes of the Eight Hundred and Ninety-Eighth Meeting, a Regular Meeting of the State Highway and Public Transportation Commission held in Austin, Texas, and opened at 9:05 A.M., August 29, 1985, with the following members present:

Robert C. Lanier	Chairman
Thomas M. Dunning	Member
Ray Stoker, Jr.	Member
Mark G. Goode	Engineer-Director

The Commission reviewed and approved the Minutes of the July 25, 1985 Meeting. Official Minutes acted upon at the August Meeting are listed below:

83407

WHEREAS, in the following counties, engineering and traffic investigations have been made to determine the reasonable and safe prima facie maximum speeds on the sections of

COUNTY	DIST.	DESCRIPTION	ZONE SPEED
<u>GRAYSON</u>	1	U.S. HIGHWAY 75 from the South City Limit of Van Alstyne at Station 8+13, Control 47-13, CSR 47-13-11, northerly within and outside the Corporate Limits of Van Alstyne to Station 536+81, Control 47-13, CSR 47-13-11, within the Corporate Limits of Howe, a distance of 10.012 miles approximately,	45
<u>HOOD & PARKER</u>	2	FARM TO MARKET ROAD 3450 from Station 0+00, Control 2631-1, RS 3510(1)A, in Hood County, northeasterly through Parker County, to Station 215+79, Control 2631-3, RS 3510(1)A, in Hood County, a distance of 4.080 miles approximately,	40
<u>RANDALL</u>	4	INTERSTATE HIGHWAY 27 from Station 434+00, Control 168-9, IR 27-8(18)417, northerly to Station 452+00, Control 168-9, IR 27-8(18)417, a distance of 0.341 mile approximately,	45
<u>LAMB</u>	5	U.S. HIGHWAY 84 from Station 390+00, Control 52-5, CSR 52-5-28, northwesterly within and outside the Corporate Limits of Littlefield to Station 710+00, Control 52-5, CSR 52-5-28, a distance of 7.070 miles approximately,	35
<u>SWISHER</u>	5	INTERSTATE HIGHWAY 27 from Station 1065+00, Control 67-2, I 27-7(46)379, northerly to Station 1524+57, Control 67-2, I 27-7(46)379, a distance of 8.704 miles approximately,	45
<u>CULBERSON & REEVES</u>	6	U.S. HIGHWAY 285 from Station 0+00, Control 139-1, CSR 139-1-11, in Culberson County, southerly to Station 737+93, Control 139-2, CSR 139-1-11, in Reeves County, a distance of 13.975 miles approximately,	45
<u>ECTOR</u>	6	FARM TO MARKET ROAD 2020 from Station 151+32, Control 1870-1, RS 1801(2), easterly to Station 307+57, Control 1870-1, RS 1801(2), a distance of 2.959 miles approximately,	35

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83407 Continued --

COUNTY	DIST.	DESCRIPTION	ZONE SPEED
<u>KIMBLE</u>	7	U.S. HIGHWAY 83 from Station 107+00, Control 35-7, CSR 35-7-22, northerly to Station 487+00, Control 35-7, CSR 35-7-22, a distance of 7.196 miles approximately,	30
<u>SCURRY</u>	8	STATE HIGHWAY 208 from Station 0+00, Control 332-1, CSR 332-1-17, northerly to Station 635+00, Control 332-1, CSR 332-1-17, a distance of 12.027 miles approximately,	40
<u>TAYLOR</u>	8	FARM TO MARKET ROAD 707 from Station 137+73, Control 663-1, RS 1609(3), easterly within the Corporate Limits of Abilene to Station 274+57, Control 663-1, RS 1609(3), a distance of 2.592 miles approximately,	30
<u>RUSK</u>	10	U.S. HIGHWAY 79 from Station 168+23, Control 206-7, MA-F 555(8), northerly to the West City Limit of Henderson at Station 220+20, Control 206-7, MA-F 555(8), a distance of 0.984 mile approximately,	40
<u>VAN ZANDT</u>	10	STATE HIGHWAY 19 from Station 354+60, Control 108-1, CSR 108-1-13, southerly to Station 750+86, Control 108-1, CSR 108-1-13, a distance of 7.504 miles approximately,	40
<u>BRAZORIA</u>	12	COUNTY ROAD 42 from Station 0+15, Control 912-31, BRO 12(27)X, easterly to Station 9+50, Control 912-31, BRO 12(27)X, a distance of 0.176 mile approximately,	30
<u>BRAZORIA</u>	12	COUNTY ROAD 48 from Station 96+86, Control 912-31, BRO 12(25)X, northerly to Station 102+77, Control 912-31, BRO 12(25)X, a distance of 0.111 mile approximately,	35
<u>BRAZORIA</u>	12	FARM TO MARKET ROAD 2004 from Station 132+00, Control 2523-2, A 2523-2-28, southwesterly to Station 332+30, Control 2523-2, A 2523-2-28, a distance of 3.793 miles approximately,	35
<u>FORT BEND</u>	12	OILFIELD ROAD at Steep Bank Creek, 3.3 miles south of State Highway 6 at Station 97+52, Control 912-34, BRO 12(26)X, easterly to Station 102+18, Control 912-34, BRO 12(26)X, a distance of 0.088 mile approximately,	30
<u>GALVESTON</u>	12	INTERSTATE HIGHWAY 45 from Station 866+79, Control 500-4, IR 45-1(231)004, southeasterly to Station 1012+00, Control 500-1, IR 45-1(231)004, a distance of 2.750 miles approximately,	35
<u>MONTGOMERY</u>	12	U.S. HIGHWAY 75 from the South City Limit of Willis at Station 24+49, Control 110-3, CSR 110-3-32, southerly to Station 126+05, Control 110-3, CSR 110-3-32, a distance of 1.923 miles approximately,	35
<u>MONTGOMERY</u>	12	FARM TO MARKET ROAD 3083 from Station 0+15, Control 3158-1, CSR 3158-1-5, southerly to Station 108+77, Control 3158-1, CSR 3158-1-5, a distance of 9.183 miles approximately,	35

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83407 Continued --

COUNTY	DIST.	DESCRIPTION	ZONE SPEED
<u>BURNET</u>	14	RANCH TO MARKET ROAD 2341 from Station 186+00, Control 2206-1, SR 2853(2), southerly to Station 200+00, Control 2206-1, SR 2853(2), a distance of 0.265 mile approximately,	45
<u>WILLIAMSON</u>	14	RANCH TO MARKET ROAD 2243 from Station 513+20, Control 2103-1, CSB 2103-1-7, easterly within and outside the Corporate Limits of Georgetown to Station 560+80, Control 2103-1, CSB 2103-1-7, a distance of 0.901 mile approximately,	35
<u>JIM WELLS</u>	16	U.S. HIGHWAY 281 from Station 2146+12, Control 255-1, MA F429(32), southerly to Station 2746+22, Control 255-2, MA F429(32), a distance of 11.365 miles approximately,	45
<u>MADISON & WALKER</u>	17	INTERSTATE HIGHWAY 45 from Station 416+00, Control 675-6, IR 45-2(69)132, in Walker County, northerly to the Walker/Madison County Line at Station 489+90, Control 675-6, IR 45-2(69)132, a distance of 1.399 miles approximately; and from the Walker/Madison County Line at Station 489+90, Control 675-5, IR 45-2(69)132, northerly to Station 500+00, Control 675-5, IR 45-2(69)132, in Madison County, a distance of 14.469 miles approximately,	45
<u>COLLIN</u>	18	STATE HIGHWAY 78 from Station 2201+00, Control 280-2, BRS 803(4), easterly to Station 2218+00, Control 280-2, BRS 803(4), a distance of 0.322 mile approximately,	35
<u>MORRIS & TITUS</u>	19	INTERSTATE HIGHWAY 30 from Station 688+00, Control 610-3, IR 30-3(79)166, in Titus County, easterly to Station 1478+59, Control 610-4, IR 30-3(79)166, in Morris County, a distance of 14.960 miles approximately,	45

where construction projects are in progress; and

WHEREAS, it has been determined by these engineering and traffic investigations that the reasonable and safe prima facie maximum speeds on the sections of highways described herein are as tabulated under the heading, "Zone Speed."

NOW, THEREFORE, THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION hereby declares and fixes the reasonable and safe prima facie maximum speed limits on the sections of highways described herein to be as tabulated under the heading, "Zone Speed," and it is ordered that the State Engineer-Director be directed to effectuate this order for control and enforcement purposes by the erection of appropriate signs showing the prima facie maximum speed limits as tabulated under the heading, "Zone Speed," in accordance with Section 13-802 Construction Speed Zones of the Procedure Manuals for Establishing Speed Zones, Traffic Signals and Safety Lighting, Expressway and Freeway Signing. Upon completion of each construction project, all such signs applying to that project shall be removed. The completion and/or acceptance of each project shall cancel the provision of this Minute applying to said project.

WHEREAS, in the following counties, engineering and traffic investigations have been made to determine the reasonable and safe prima facie maximum speeds on the sections of

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83407 Continued --

COUNTY	DIST.	DESCRIPTION
<u>SMITH</u>	10	STATE HIGHWAY 64 from Milepost 6.060, Control 245-6, easterly to Milepost 6.510, Control 245-6, a distance of 0.450 mile approximately; and from Milepost 4.303, Control 245-6, easterly to Milepost 4.553, Control 245-6, a distance of 0.250 mile approximately,
<u>MONTGOMERY</u>	12	U.S. HIGHWAY 75 from the South City Limit of Conroe at Milepost 6.526, Control 110-3, southerly to the North City Limit of Conroe at Milepost 6.772, Control 110-3, a distance of 0.246 mile approximately,
<u>AUSTIN</u>	13	FARM TO MARKET ROAD 1094 from its intersection with Farm to Market Road 109 at Milepost 0.00, Control 1721-1, easterly through New Ulm (unincorporated) to Milepost 0.706, Control 1721-1, a distance of 0.706 mile approximately,
<u>WILLIAMSON</u>	14	RANCH TO MARKET ROAD 2338 from the Southeast City Limit of Georgetown at Milepost 13.110, Control 2211-1, westerly to Milepost 14.010, Control 2211-1, a distance of 0.900 mile approximately,
<u>GUADALUPE</u>	15	STATE HIGHWAY 123 from Milepost 10.799, Control 366-2, southerly through Geronimo (unincorporated) to Milepost 9.236, Control 366-2, a distance of 1.563 miles approximately,
<u>ZAVALA</u>	15	FARM TO MARKET ROAD 582 from the East City Limit of Crystal City at Milepost 1.330, Control 878-5, easterly to Milepost 1.567, Control 878-5, a distance of 0.237 mile approximately,
<u>ZAVALA</u>	15	FARM TO MARKET ROAD 1433 from the South City Limit of Crystal City at Milepost 1.730, Control 2628-1, southerly to Milepost 2.123, Control 2628-1, a distance of 0.393 mile approximately,
<u>GOLIAD</u>	16	U.S. HIGHWAY 59 from Station 677+00, Control 88-3, westerly to the East City Limit of Goliad at Station 696+85, Control 88-3, a distance of 0.376 mile approximately; and from the West City Limit of Goliad at Station 760+63, Control 88-2, westerly to Station 772+00, Control 88-2, a distance of 0.215 mile approximately,
<u>SAN PATRICIO</u>	16	STATE HIGHWAY 35 from the Northwest City Limit of Aransas Pass at Station 124+02, Control 180-6, northwesterly to Station 166+62, Control 180-6, a distance of 0.807 mile approximately,

as evidenced by the plans (strip maps) for these zones, in the files of the State Department of Highways and Public Transportation, which are hereby approved; and

WHEREAS, it has been determined by these engineering and traffic investigations that the reasonable and safe prima facie maximum speeds for the sections of highways described above are as shown on the aforementioned plans (strip maps);

NOW, THEREFORE, THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION hereby declares and fixes the reasonable and safe prima facie maximum speed limits to be as shown on the aforementioned plans (strip maps); and it is ordered that the State Engineer-Director be authorized to proceed with the erection of appropriate signs showing the maximum speed limits.

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83407 Continued --

The provision of this Minute pertaining to the speed zoning of STATE HIGHWAY 64 in SMITH COUNTY cancels and supersedes the provision of COMMISSION MINUTE ORDER NO. 82407, dated November 20, 1984, which pertains to the speed zoning of STATE HIGHWAY 64 in SMITH COUNTY.

The provision of this Minute pertaining to the speed zoning of FARM TO MARKET ROAD 1094 in AUSTIN COUNTY cancels and supersedes the provision of COMMISSION MINUTE ORDER NO. 53223, dated July 31, 1963, which pertains to the speed zoning of FARM TO MARKET ROAD 1094 in AUSTIN COUNTY.

The provision of this Minute pertaining to the speed zoning of STATE HIGHWAY 123 in GUADALUPE COUNTY cancels and supersedes the provision of COMMISSION MINUTE ORDER NO. 66110, dated May 1, 1972, which pertains to the speed zoning of STATE HIGHWAY 123 in GUADALUPE COUNTY.

The provision of this Minute pertaining to the speed zoning of U.S. HIGHWAY 59 in GOLIAD COUNTY cancels and supersedes the provision of COMMISSION MINUTE ORDER NO. 83289, dated July 25, 1985, which pertains to the speed zoning of U.S. HIGHWAY 59 in GOLIAD COUNTY.

The provision of this Minute pertaining to the speed zoning of STATE HIGHWAY 35 in SAN PATRICIO COUNTY cancels and supersedes the provision of COMMISSION MINUTE ORDER NO. 73289, dated September 28, 1977, which pertains to the speed zoning of STATE HIGHWAY 35 in SAN PATRICIO COUNTY.

WHEREAS, in various counties, the State Highway and Public Transportation Commission has by Minute Orders set speed limits on various sections of highways of the State Highway System, and

WHEREAS, speed limits on these sections of the highways are no longer necessary or have been incorporated by various cities which have the authority to set speed limits on these sections of highways,

NOW, THEREFORE, IT IS ORDERED BY THE STATE HIGHWAY AND PUBLIC TRANSPORTATION COMMISSION that the following COMMISSION MINUTE ORDERS or parts of COMMISSION MINUTE ORDERS which establish speed limits on these sections of highways be canceled.

COUNTY	DIST.	DESCRIPTION
<u>CORYELL</u>	9	That part of COMMISSION MINUTE ORDER NO. 64277, dated October 30, 1970, which pertains to the speed zoning of <u>FARM TO MARKET ROAD 116</u> in <u>CORYELL COUNTY</u> .
<u>CORYELL</u>	9	That part of COMMISSION MINUTE ORDER NO. 66581, dated October 5, 1972, which pertains to the speed zoning of <u>FARM TO MARKET ROAD 1113</u> in <u>CORYELL COUNTY</u> .
<u>ANGELINA</u>	11	That part of COMMISSION MINUTE ORDER NO. 62165, dated May 5, 1969, which pertains to the speed zoning of <u>U.S. HIGHWAY 59</u> in <u>ANGELINA COUNTY</u> .
<u>MATAGORDA</u>	13	That part of COMMISSION MINUTE ORDER NO. 53223, dated July 31, 1963, which pertains to the speed zoning of <u>STATE HIGHWAY 71</u> in <u>MATAGORDA COUNTY</u> .
<u>MATAGORDA</u>	13	That part of COMMISSION MINUTE ORDER NO. 54131, dated March 31, 1964, which pertains to the speed zoning of <u>FARM TO MARKET ROAD 521</u> in <u>MATAGORDA COUNTY</u> .

83408

In the following listed county, the Engineer-Director is hereby authorized to proceed in the most feasible and economical manner with the work described at the estimated cost shown.

(Continued on next page)

83408 Continued --

COUNTY	LOCATION	DESCRIPTION	EST. COST
Travis	Camp Hubbard, Austin	Renovation of Building 9 (Signal Shop and Storage)	\$ 345,000.00
Travis	Camp Hubbard, Austin	Renovation of Building 10 (Equipment Shops and Warehouse)	\$ 30,000.00

83409
D-18

WHEREAS, in HARRIS and FORT BEND COUNTIES on STATE HIGHWAY 288 between Interstate 610 and State Highway 6, a distance of approximately 14.921 miles, the South Freeway Corridor Association has provided support toward the aesthetic improvement of this route by providing a combined donation of \$62,980.00 in design plans, wildflower planting operations, and donated plant material; and,

WHEREAS, the South Freeway Corridor Association desires to complete full landscape development at selected locations along this route; and,

WHEREAS, the State Department of Highways and Public Transportation desires to cooperate in this endeavor by matching the financial commitment previously made by the South Freeway Corridor Association and by providing additional funds necessary for the full construction of this work;

NOW, THEREFORE, the Engineer-Director is directed to enter into any necessary agreements with the South Freeway Corridor Association for development of the project, financing the costs with funds authorized for the Landscape Development Matching Program under Commission Minute Order No. 83030, at a cost not to exceed \$245,343.00.

83410
D-18

WHEREAS, in LUBBOCK COUNTY on LOOP 289, the Llano Estacado Park People, a private nonprofit organization dedicated to aesthetic improvement, have offered to donate \$15,000.00 toward purchasing wildflower seed for planting at selected locations along Loop 289; and,

WHEREAS, the State Department of Highways and Public Transportation desires to cooperate in this endeavor by providing a matching amount of State funds toward the purchase of wildflower seeds;

NOW, THEREFORE, the Engineer-Director is directed to accept this offer with gratitude, and enter into any necessary agreements with the Llano Estacado Park People for the installation of the project by State forces, financing the State cost for seed purchase only with funds authorized by the Landscape Development Matching Program, under Commission Minute Order No. 83030, at a cost not to exceed \$15,000.00.

BE IT FURTHER ORDERED if agreed funds in the amount of \$15,000.00 are not transmitted by the Llano Estacado Park People to the State within 90 days of the date of this offer, the action herein contained shall be automatically cancelled.

83411

WHEREAS, the State Highway and Public Transportation Commission of the State of Texas has found in order to promote the Public Safety, to facilitate the Safety and movement of traffic and to preserve the financial investment of the public in its highways, public necessity requires the laying out, opening, constructing, reconstructing, maintaining, and operating of the following highways in the State of Texas as a part of the State Highway System; and,

WHEREAS, the State Highway and Public Transportation Commission has found and determined that each of the following listed parcels of land, same being more particularly described in the exhibits attached hereto, and such additional lesser estates or property interests described thereon, are necessary and suitable for use for such purposes and it is

necessary to acquire fee simple title to said land, as provided by law, as a part of the State Highway System to be so constructed, reconstructed, maintained and operated thereon; and, FURTHER WHEREAS, the State Highway and Public Transportation Commission of the State of Texas has found in order to promote the Public Safety, to facilitate the Safety and movement of traffic, to preserve the financial investment of the public in its highways and to promote the National Defense, public necessity requires the laying out, opening, constructing, reconstructing, maintaining, and operating of Controlled Access Highways in the State of Texas as a part of the State Highway System at such locations as are necessary throughout the State of Texas and has determined that each of the following listed parcels of land, described in Exhibits A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q and R and same being more particularly described in the exhibits attached hereto and such additional lesser estates or property interests described thereon, are necessary and suitable for use for such purposes and it is necessary to acquire fee simple title to said land, as provided by law, as a part of the State Highway System to be so constructed, reconstructed, maintained, and operated thereon and in the exercise of the police power of the State for the preservation of human life and safety, and under existing laws, the highway to be constructed on each such parcel of land is designated as a Controlled Access Highway, and on such parcels of land listed herein where there is remaining abutting private property, roads are to be built as a part of said highway whereby the right of ingress and egress to or from the remaining private property abutting on said highway is to be permitted and/or denied, as designated and set forth on each of the exhibits attached hereto; and,

WHEREAS, the State Highway and Public Transportation Commission, through its duly authorized representatives, has attempted to negotiate with the owner or owners of the parcels of land described in all of the following Exhibits 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, A, B, C, D, E, G, H, I, J, K, L, M, N, O, P, Q and R and has been unable to agree with such owner or owners as to the fair cash market value thereof and damages, if any; and,

WHEREAS, duly authorized representatives of the State Highway and Public Transportation Commission, after diligent search of available records, numerous inquiries, and actual visits to the locations of said parcels of land described in Exhibits 6, 13, and F have been unable to locate the owner or owners of same so as to enter into negotiations for the purchase of said parcels of land;

NOW, THEREFORE, it is ordered that the State Engineer-Director for Highways and Public Transportation be and he is hereby authorized and directed to transmit this request of the State Highway and Public Transportation Commission to the Attorney General of the State of Texas to file or cause to be filed, against all owners and lienholders, proceedings in eminent domain to acquire in the name of and on behalf of the State of Texas, for said purposes, fee simple title to each such parcel of land as are more particularly described in each of the exhibits attached hereto and made a part hereof, and such additional lesser estates or property interests as are more fully described in each of said exhibits, save and excepting, oil, gas and sulphur, as provided by law, to wit:

EXHIBIT:	COUNTY:	HIGHWAY:	ACCOUNT NO.:	PARCEL:
1	HUNT	Loop 315	203-1-15	23
2	HUNT	Loop 315	203-1-15	33
3	TOM GREEN	U.S. 87	8007-1-32	35
4	FAYETTE	S.H. 71	8013-1-44	5
5	FAYETTE	S.H. 71	8013-1-44	15A
6	FAYETTE	S.H. 71	8013-1-44	26
7	MEDINA	U.S. 90	8015-1-41	70
8	BRAZOS	S.H. 6	8017-1-25	11
9	BRAZOS	S.H. 6	8017-1-25	15
10	BRAZOS	S.H. 6	8017-1-25	19A
11	BRAZOS	S.H. 6	8017-1-25	21
12	BRAZOS	S.H. 6	8017-1-25	38
13	PANOLA	U.S. 59	8019-1-58	116

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83411 Continued --

CONTROLLED ACCESS

EXHIBIT:	COUNTY:	HIGHWAY:	ACCOUNT NO.:	PARCEL:
A	HARRIS	Beltway 8	8012-1-65	20G
B	HARRIS	Beltway 8	8012-1-65	20H
C	TRAVIS	Loop 1	8014-1-55	4 & 4E
D	TRAVIS	Loop 1	8014-1-55	7A
E	TRAVIS	Loop 1	8014-1-55	8
F	TRAVIS	Loop 1	8014-1-55	12
G	TRAVIS	Loop 1	8014-1-55	13A
H	TRAVIS	Loop 1	8014-1-55	14A
I	TRAVIS	Loop 1	8014-1-55	18
J	TRAVIS	Loop 1	8014-1-55	19B
K	TRAVIS	Loop 1	8014-1-55	20
L	TRAVIS	Loop 1	8014-1-55	24
M	TRAVIS	Loop 1	8014-1-55	25
N	TARRANT	I.H. 20	9002-2-14	12
O	LUBBOCK	I.H. 27	9005-27-13	287
P	LUBBOCK	I.H. 27	9005-27-15	11
Q	LUBBOCK	I.H. 27	9005-27-15	13
R	LUBBOCK	I.H. 27	9005-27-15	117

83412
D-15

WHEREAS, in COLORADO COUNTY, Texas, on U.S. HIGHWAY 90A, the County acquired in the State's name at no cost to the State certain land needed by the State for highway purposes, said land being conveyed to the State by instrument recorded in Volume 97, Page 492, of the Deed Records of Colorado County, Texas; and

WHEREAS, said land is no longer needed for highway or public transportation purposes or for use of citizens as a road, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the abutting landowners, Loueva Kohleffel Clark and Bonnie Kohleffel Manville, have requested that the State sell all of its rights, title and interest in said surplus land to them for \$8,280.00; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the sale to the abutting landowners of such surplus right of way property originally acquired in the State's name by the County; and

WHEREAS, the State Highway and Public Transportation Commission finds \$8,280.00 to be a fair and reasonable value of the State's rights, title and interest in said surplus property and it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State convey all its rights, title and interest in the surplus land, to the extent permitted by State law, to Loueva Kohleffel Clark and Bonnie Kohleffel Manville, the abutting landowners, for a cash consideration in the amount of the above determined value;

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions and within the purview of the aforementioned Statute, it is hereby recommended by the State Highway and Public Transportation Commission, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument conveying the State's rights, title and interest in the aforementioned surplus land, to the extent permitted by State law, to Loueva Kohleffel Clark and Bonnie Kohleffel Manville for \$8,280.00, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof.

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83413
D-15

WHEREAS, in DENTON COUNTY, Texas, on INTERSTATE HIGHWAY 35E, formerly U.S. Highway 77, the County acquired in the State's name at no cost to the State, certain land needed for State highway purposes, said land being conveyed to the State by instrument recorded in Volume 400, Page 145, of the Deed Records of Denton County, Texas; and

WHEREAS, a portion of said land is no longer needed for highway or public transportation purposes or for use of citizens as a road, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, Xerox Realty Corporation, the owner of certain other land needed for highway purposes, has conveyed said needed land to the State, full consideration therefor being the State's quitclaiming of its rights, title and interest in said surplus land to said owner; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the State's conveyance of such surplus land or interest therein as part or full consideration for other land needed by the State for highway purposes; and

WHEREAS, it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State convey all its rights, title and interest in said surplus land to the Corporation as full consideration for the conveyance of the needed land to the State;

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions and within the purview of the aforementioned Statute, it is hereby recommended by the State Highway and Public Transportation Commission, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument quitclaiming all of the State's rights, title and interest in said surplus land to Xerox Realty Corporation, said land being more particularly described in Exhibit A, attached hereto and made a part hereof.

83414
D-15

WHEREAS, in HUNT COUNTY, Texas, on U.S. HIGHWAY 69, the County acquired an easement interest in certain land needed by the State for highway drainage purposes, said easement being granted to the State by instruments recorded in Volume 530, Page 457, and Volume 533, Page 584, of the Deed Records of Hunt County, Texas; and

WHEREAS, portions of said land are no longer needed for highway or public transportation purposes or for use of citizens as a road, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the owner of the fee in certain other land needed for highway drainage purposes has conveyed an easement interest in said needed land to the State, full consideration therefor being the State's quitclaim of its interest in said surplus land to the owner of the fee in the land; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the conveyance of such surplus land or interest therein as part or full consideration for other land needed by the State for highway purposes; and

WHEREAS, it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State quitclaim its rights and interest in the surplus land to the owner of the fee in the land as full consideration for the conveyance of the needed land to the State;

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions and within the purview of the aforementioned Statute, it is hereby recommended by the State Highway and Public Transportation Commission, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument quitclaiming the State's rights and interest in the aforementioned surplus land to the owner of the fee in the land, said land being more particularly described in Exhibit A, attached hereto and made a part hereof.

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83415
D-15

WHEREAS, in RAINS COUNTY, Texas, on FARM TO MARKET ROAD 2795, formerly U.S. Highway 69; certain land needed by the State for highway roadside park purposes was donated to the State by J. J. Jenkins by instrument recorded in Volume 83, Page 461, of the Deed Records of Rains County, Texas; and

WHEREAS, said land is no longer needed for highway roadside park purposes or for use of citizens as a road, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the State's quit-claiming to the grantor, his heirs or assigns, the State's rights, title and interest in such surplus land acquired by donation; and

WHEREAS, it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State quit-claim its rights, title and interest in the surplus land to the extent permitted by State law, to J. J. Jenkins, his heirs or assigns, in consideration of relieving the State of the responsibility and cost of maintenance of the surplus land and in consideration of the land having been originally conveyed to the State without cost to the State;

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions and within the purview of the aforementioned Statute, it is hereby recommended by the State Highway and Public Transportation Commission, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument quit-claiming all the State's rights, title and interest in said land to the extent permitted by State law, to J. J. Jenkins, his heirs or assigns, said land being more particularly described in Exhibit A, attached hereto and made a part hereof.

83416
D-15

WHEREAS, in WEBB COUNTY, Texas, on FARM TO MARKET ROAD 1472, the County acquired in the State's name at no cost to the State an easement interest in certain land needed by the State for highway purposes, said easement being granted to the State by instrument recorded in Volume 253, Pages 622-624, of the Deed Records of Webb County, Texas; and

WHEREAS, a portion of said land is no longer needed for highway purposes or for the use of citizens as a road or for road purposes, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the State's quit-claiming of its rights and interests in such surplus land to the owner of fee in the land; and

WHEREAS, it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State quit-claim its rights and interests in the surplus land to the owner of the fee in the land in consideration of relieving the State of the responsibility and cost of maintenance of the surplus land and in consideration of the easement having been granted originally for the State's use without cost to the State;

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions and within the purview of the aforementioned Statute, it is hereby recommended by the State Highway and Public Transportation Commission, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument quit-claiming the State's rights and interests in the aforementioned surplus land to the owner of the fee in the land, said land being more particularly described in Exhibit A, attached hereto and made a part hereof.

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August 29, 1985

83417

WHEREAS, the Texas Transportation Corporation Act, Art. 1528c, V.A.C.S. (the "Act"), authorizes the creation and organization of public nonprofit transportation corporations to act on behalf of the State Highway and Public Transportation Commission (the "Commission") in the promotion and development of transportation facilities and systems; and

WHEREAS, it is necessary and expedient that the Commission adopt procedures to implement the provisions of the Act;

NOW, THEREFORE, the Engineer-Director is directed to promulgate the following procedures as concerns the creation of a transportation corporation:

- I. Filing of application for creation of a transportation corporation as required by Statute.
- II. Proposed Directors to submit the following:
 - A. Application for appointment - Form provided by State Department of Highways and Public Transportation which includes general background and resume information, with questionnaire inquiring of the applicant's knowledge of the corporation's purpose and activities. At least three references are to be submitted.
 - B. Financial Statement - Form provided by State Department of Highways and Public Transportation.
- III. Commission Minute Order.
 - A. Commission agrees to consider creation of transportation corporation and designation of State Highway.
 - B. Includes names and addresses of proposed directors.
- IV. Publication of Notice.
 - A. Incorporators shall cause a Notice to be published in a newspaper with general circulation in each county in which the transportation corporation is to be located at least twice each week for two (2) consecutive weeks, with the first publication being at least twenty (20) days before the Commission meets for consideration of corporation creation.
 - B. Incorporators shall furnish proof of publication.
 - C. Notice shall indicate that Commission is considering the application and appointment of listed, proposed directors.
- V. Informal contact by State Department of Highways and Public Transportation.

District Engineer will contact appropriate government entities and/or community leaders relative to the proposed transportation corporation and appointment of directors as deemed suitable by the District Engineer.

VI. Creation of Transportation Corporation.

When all necessary information and documents have been filed and accepted and procedures have been followed, the District Engineer, the Right of Way Engineer, and the Administration will make a recommendation to the Commission relative to the creation of the corporation and appointment of Directors. If the recommendation is favorable, a Minute Order will be presented to the Commission for creation.

The attached Forms shown as Exhibit A and Exhibit B meet the intent of the above Minute Order and are hereby authorized.

August 29, 1985

83418

WHEREAS, the Texas Transportation Corporation Act, H.B. 125, 68th Texas Legislature, (TEX.REV.CIV.STAT.ANN.Art. 15281) (the "Act"), authorizes the creation and organization of public nonprofit transportation corporations to act on behalf of the State Highway and Public Transportation Commission (the "Commission") in the promotion and development of transportation facilities and systems; and

WHEREAS, the creation and operation of the Mokan Corridor Association, Inc. (the "Corporation") as an instrumentality of the State of Texas (the "State") to perform the essential governmental function of designing and completing the Mokan Transportation Corridor will benefit the State, its residents and visitors, and the Commission for the following reasons:

(a) The present and prospective traffic congestion around the greater Austin area including the Cities of Austin, Round Rock, Pflugerville, and Georgetown, and the Counties of Travis and Williamson, and the limited availability of State funds require as a public purpose the promotion and development of transportation facilities and systems with strong private sector support;

(b) The creation of the Corporation by the Commission is essential to the continued economic growth, vitality, and environmental well being of the greater Austin area and will help to improve mobility in a cost-effective manner which generally promotes the health, well being, and safety of citizens, visitors, and residents of the community;

(c) The Corporation will perform an essential governmental function by acting on behalf of the Commission (and thereby, the State) in conjunction with appropriate local governmental entities where necessary to secure and obtain rights of way for an urgently needed new transportation facility which will provide both highway and express transit access to several communities and cities;

(d) The Corporation will perform many functions normally undertaken by the Commission and thus will reduce the burdens and demands on the limited funds available to the Commission, thereby increasing the effectiveness and impact of those funds available to the Commission and increasing the efficiency of the Commission itself; and

(e) The Corporation will act as an instrumentality of the State in promoting and developing transportation facilities and systems and will not act as the agent or instrumentality of any private interests; and

WHEREAS, the Corporation shall have the following powers with respect to the promotion and development of the Mokan Transportation Corridor together with all powers incidental thereto or necessary for the performance of those hereinafter stated:

(a) The Corporation shall have all powers necessary to work directly with landowners, local and state governmental agencies, and elected officials to support those activities required to promote and develop the Mokan Transportation Corridor, subject to and at the direction of and in accordance with written requests from the Commission. These activities shall include: (1) performing preliminary and final alignment studies; (2) receiving contributions of land for rights of way and cash donations to be applied to the purchase of rights of way not donated and/or to be applied to the design or construction of the Mokan Transportation Corridor; (3) reviewing candidates for advisory directorships and adding such Advisory Directors as may be appropriate; (4) retaining such administrative staff, and legal, public affairs and information, and engineering services as may be required for the development of the Mokan Transportation Corridor and paying such employees and consultants from funds received for this purpose; (5) through staff and retained consultants, preparing such exhibits, right of way documents, environmental reports, schematics, preliminary and final engineering plans as may be necessary for the development of the project; (6) soliciting cash contributions to cover the costs of the services to be performed by the

(Continued on next page)

Corporation and appointed consultants; (7) borrowing money to meet any expenses or needs associated with the regular operations of the Corporation or any proposed capital improvements to be undertaken by the Corporation when in the opinion of the Commission such is necessary to meet the needs of the Corporation and the borrowing in each instance is specifically approved by the Commission, provided, however, that the Corporation may not borrow against, place a lien on, or otherwise encumber any rights of way or facilities without prior written approval from the Commission; (8) making official presentations to the State and other affected agencies or groups concerning the development of the project; (9) issuing press releases and other material to promote the activities of the Corporation; and, (10) performing any other functions requested by the Commission in order to promote and develop the Mokan Transportation Corridor.

(b) The Corporation shall have all other powers of a like or different nature not prohibited by law which are available to nonprofit corporations in Texas and which are necessary or useful for the promotion and development of the Mokan Transportation Corridor on behalf of the Commission; and

WHEREAS, the Commission has the right to remove any Director for cause or at will and appoint new Directors; the Commission, and thereby the State, shall, at all times, have an unrestricted right to receive any income earned by the Corporation, exclusive of amounts needed to cover reasonable expenditures and reasonable reserves for future activities; no part of the Corporation's income shall inure to the benefit of any private interests; and in the event of dissolution or liquidation of the Corporation, all assets will be turned over to the Commission, acting on behalf of the State; and

WHEREAS, the Commission hereby finds, determines, recites, and declares that it is wise, expedient, necessary, and advisable that the Corporation be formed to assist in the promotion and development of the Mokan Transportation Corridor;

WHEREAS, by Minute Order 83157 the Commission tendered a proposal to appropriate local entities for designation of a controlled access State Highway to extend from Interstate Highway 35 north of Georgetown, south to U.S. Highway 183 near Austin, which was accepted without condition by all of the affected local entities;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE COMMISSION:

Section 1. The Commission hereby authorizes and approves the creation of the Mokan Corridor Association, Inc., as a Texas Transportation Corporation to carry out the above-described purposes and powers and to act on behalf of the Commission in the promotion and development of the above-described Mokan Transportation Corridor, provided (a) that such authorization is subject to and at the direction of and in accordance with written requests from the Commission, (b) that the Commission shall resolve all matters concerning the priority of construction, (c) that only with the written approval of the Commission may the Corporation borrow money, and (d) any contracts entered into by the Corporation shall be subject to the availability of funds on hand by the Corporation.

The Corporation shall be subject to such of the Commission's rules and regulations as the Commission may by Minute Order direct and such other requirements and conditions as the Commission by Minute Order prescribe and all matters concerning the Corporation and development of the project shall be performed in accordance with State policies and guidelines and shall be subject to audit, review and approval by the State Department of Highways and Public Transportation including but not limited to fiscal and contract activities, environmental considerations, segment termini, alignment, typical sections, schematics, right of way determination and acquisition, design, landscaping, preliminary plans, construction plans and specifications.

(Continued on next page)

83418 Continued --

The Corporation shall consult and coordinate with and obtain written approval from the State Department of Highways and Public Transportation for any Corporation proposals concerning the above and all other matters involving development of the project on an ongoing basis.

Section 2. That the Articles of Incorporation are hereby adopted and approved and the Bylaws of the Corporation are approved by the Commission in the form attached hereto as Exhibits "A" and "B" respectively, and that neither may be changed or amended without further approval from the Commission.

Section 3. That the following persons are hereby specifically appointed to serve as the initial Board of Directors of the Mogan Corridor Association, Inc.:

Ralph Reed Land Concept 1250 Capital of Texas Highway South One Cielo Center Suite 320 Austin, Texas 78746	James Brown 5929 Balcones Drive Suite 301 Austin, Texas 78731	Theo R. Timmerman P. O. Box 789 Pflugerville, Texas 78660
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Gonzalo Barrientos 2906 Gem Circle Austin, Texas 78704	Bob Dillard 2810 Pickwick Austin, Texas 78746	Bernard Snyder 2900 One American Center Austin, Texas 78701
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These directors shall serve for a term of six (6) years from the date of installation, or until replaced in accordance with the Bylaws of the Mogan Corridor Association, Inc.

83419

WHEREAS, rules for the regulation of effective display of outdoor advertising along the Interstate Highway System and Federal-Aid Primary System of highways within the State of Texas have been promulgated in Title 43, Transportation, Part I, State Department of Highways and Public Transportation, Chapter 21, Right of Way Division, Section 21.141 through Section 21.159, of the Texas Administrative Code ("43 T.A.C., 21.141-21.159"); and

WHEREAS, Article 6674v-3, V.A.C.S., established legislation authorizing the State Highway and Public Transportation Commission (the "Commission") to adopt rules for the control of effective display of outdoor advertising on rural roads; and

WHEREAS, the Commission is considering adopting such rules and directing the Engineer-Director to take the necessary administrative steps to implement the adoption of these rules on an emergency basis and to propose adoption on a permanent basis; and

WHEREAS, in order to effectively regulate the erection and maintenance of outdoor advertising and to be consistent with certain rules implementing the provisions of Article 6674v-3, V.A.C.S., certain amended Sections of T.A.C. 21.141-21.159 should be adopted on an emergency as well as a permanent basis to implement such amendments and in order to protect the interests of the citizens of Texas;

NOW, THEREFORE, BE IT ORDERED that the attached amended rules for the effective display of outdoor advertising along the Interstate System and Primary System of highways within the State of Texas be and the same hereby adopted;

BE IT FURTHER ORDERED that the Engineer-Director is directed to take the necessary steps to implement the adoption of these rules on an emergency basis and also to propose adoption on a permanent basis.

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August 29, 1985

83420

WHEREAS, Article 6674v-3, V.A.C.S. established legislation to promote and control the reasonable, orderly and effective display of outdoor advertising on all highways and roads located outside the corporate limits of cities, towns and villages in Texas to promote the recreational value of public travel and to preserve the national beauty; and

WHEREAS, Section 9 of this Article provides that the State Highway and Public Transportation Commission shall administer and enforce this Article and shall adopt rules to regulate the erection and maintenance of signs covered under this article; and

WHEREAS, it is essential to adopt such rules on an emergency as well as a permanent basis to implement the purposes of the Article and in order to protect the interests of the citizens of Texas;

NOW, THEREFORE, BE IT ORDERED that the attached rules relating to control of signs along rural roads be and the same are hereby adopted;

BE IT FURTHER ORDERED that the Engineer-Director is directed to take the necessary administrative steps to implement the adoption of these rules on an emergency basis and also to propose adoption on a permanent basis.

83421

WHEREAS, Commission Minute Order Number 43773, dated April 22, 1958, and Commission Minute Order Number 45920, dated May 1, 1959, established certain provisions for a Departmental Policy in the development of access driveway facilities on highways under the jurisdiction of the State Department of Highways and Public Transportation; and

WHEREAS, the provisions of these Orders have, at various times, been supplemented by additional directions to clarify, define and interpret the application, scope and intent of such provisions; and

WHEREAS, it is now considered appropriate to revise the Departmental policy on access driveways to meet current requirements; and

WHEREAS, the existing rules recorded in the Texas Register will be amended to reflect these revisions;

NOW, THEREFORE, IT IS ORDERED THAT the attached rules be and the same are hereby proposed for permanent adoption and that Minute Orders 43773 and 45920 be cancelled and replaced by this Minute Order; and

BE IT FURTHER ORDERED THAT the Engineer-Director is directed to take the necessary administrative steps to propose the adoption of these rules pursuant to the requirements of the Administrative Procedure and Texas Register Act.

83422

WHEREAS, the Texas Legislature passed Senate Bill 500 which requires the use of safety belts; and

WHEREAS, SB 500 goes into effect September 1, 1985; and

WHEREAS, the National Highway Traffic Safety Administration is offering federal 403 funds to states which have passed mandatory safety belt use laws;

NOW, THEREFORE, IT IS ORDERED that the Texas State Department of Highways and Public Transportation apply for and accept no more than \$150,000.00 in federal funds, designated as 403, to further the occupant protection program for the State of Texas during fiscal year 1986.

August 29, 1985

83423

WHEREAS, the U.S. Department of Transportation initiated a research program with the Rice Center in Houston, Texas, through the Urban Mass Transportation Administration and Federal Highway Administration, with cooperation from the State Department of Highways and Public Transportation as outlined in Minute Orders 80059, 81088 and 82419 to determine the potential of creative financial techniques and private sector support in planning, development and operation of urban transportation systems; and,

WHEREAS, the Rice Center has proceeded with evaluations of urban mobility needs within the State of Texas and the Houston Metropolitan area in particular, including assessments of future financing techniques, which could be of value to federal, state and local authorities in determining how to meet future mobility needs of Texas and the Nation; and,

WHEREAS, Rice Center has done extensive work in background data and investigation of the forces that affect growth and change in Texas' metropolitan areas and in the development of an adequate monitoring system; and,

WHEREAS, Rice Center has proposed to assist the State Department of Highways and Public Transportation in better understanding the forces that affect the growth and shape of metropolitan areas of the State and in monitoring and interpreting these forces over time; and,

WHEREAS, the State Department of Highways and Public Transportation desires to continue to cooperate and benefit from research proposed by the Rice Center;

NOW, THEREFORE, the Engineer-Director is directed to enter into an agreement with Rice Center which is acceptable to all parties, with State participation in the project limited to not more than \$120,000.00 in State funds.

83424

IT IS ORDERED BY THE COMMISSION that a Cash Budget of \$2,585,152,611.00 be authorized for the operations of the State Department of Highways and Public Transportation for the 1986 Fiscal Year. The Engineer-Director is to use these funds to effectively operate the Activities of the State Department of Highways and Public Transportation in accordance with the General Appropriation Bill of the 69th Legislature, Regular & Special Session.

TEXAS STATE DEPARTMENT OF HIGHWAYS & PUBLIC TRANSPORTATION
OPERATING BUDGET
FOR THE 1986 FISCAL YEAR

Program/Activity

I. Administration and Support	
Executive Administration	\$ 1,365,637
Planning and Research	19,207,632
Support and Operations	103,007,481
	\$ <u>123,580,750</u>
II. Highway Maintenance	
Maintenance Management	\$ 11,929,947
Maintenance Work	464,693,943
Ferries & Tunnel Operations	9,117,451
	\$ <u>485,741,341</u>
III. Highway Construction	
Construction Management	\$ 17,638,983
Preliminary and	
Construction Engineering	180,331,503
Right of Way Acquisition	238,900,000
Contractor Payments	1,466,846,927
	\$ <u>1,903,717,423</u>

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83424 Continued --

IV. Highway Auxiliary Operations	
Public Travel & Information Services	\$ 7,517,779
Motor Vehicle Registration and Titling	33,402,601
Off-System Railroad Grade Protection	500,000
Outdoor Advertising and Junkyard Control	466,275
Traffic Safety Promotion	11,843,964
Gulf Intracoastal Waterway Improvements	95,112
	<u>\$ 53,825,731</u>
V. Public Transportation Development	
Coordination and Technical Support	\$ 512,376
Financial Assistance	17,775,000
	<u>\$ 18,287,376</u>
DEPARTMENT TOTAL	<u>\$2,585,152,611</u>

83425

WHEREAS, the Commission by Minute Order No. 83172 dated June 21, 1985, suspended Jones Bros. Dirt & Paving Contractors, Inc. from bidding on and/or contracting for highway improvement contracts let by the State Department of Highways and Public Transportation or from participating as a subcontractor under any such contract, such suspension to continue in effect until final resolution of criminal charges contained in the indictment of Jones Bros. Dirt & Paving Contractors, Inc. by a federal grand jury on May 13, 1985 in cause styled United States of America v. Jones Bros. Dirt & Paving Contractors, Inc., Criminal No. A-85-CR-33 in the United States District Court for the Western District of Texas, Austin Division; and

WHEREAS, at the request of Jones Bros. Dirt & Paving Contractors, Inc. an administrative hearing was convened before the Honorable Edward D. Peterson, Hearing Officer, on August 6, 1985 in Cause S-36 with the proceedings directed toward the issue of whether or not the suspension should be continued until resolution of the aforementioned criminal charges; and

WHEREAS, the record in Cause S-36 has now been completed and Mr. Peterson, the Hearing Officer, has filed with the Commission his Findings of Fact and Conclusions of Law together with his Recommendation that the Commission issue an order consistent with those findings and conclusions affirming its suspension pending the resolution of the criminal charges;

NOW, THEREFORE, BE IT ORDERED THAT the Findings of Fact and Conclusions of Law prepared and filed by the Hearing Officer be and the same are hereby adopted;

BE IT FURTHER ORDERED THAT the suspension of Jones Bros. Dirt & Paving Contractors, Inc. as imposed by Minute Order No. 83172 be continued as ordered therein, and the Engineer-Director is hereby directed to so notify such company and furnish it and the Hearing Officer a copy of this Order. Passed 2 yea, 0 nay, 1 abstention (Mr. Stoker).

Mr. Lanier made the following motion:

That the Commission authorize public hearings in different parts of the State to look into the majority of the Minority Business Enterprises to see where it's worked and where it hasn't.

Motion passed.

August 29, 1985

83426

WHEREAS, the Federal Highway Administration has made available to the State Department of Highways and Public Transportation certain funds for a Supportive Services Program (including Minority Business Enterprise training) as authorized by 23 USC 140(b) and Volume 6, Chapter 4, Section 1, Subsection 2 of the Federal-Aid Highway Program Manual which outlines Equal Employment Opportunity on Federal-Aid Contracts including Supportive Services; and

WHEREAS, the Federal Highway Administration Notice N 5180.19 dated December 2, 1983 allocated Fiscal Year 1984 funds in sufficient amount to finance the cost of a Minority Business Enterprise Program at no cost to the State; and

WHEREAS, it is in the interest of the State to contract for a Minority Business Enterprise Program designed to provide training, technical assistance and/or information that will increase the abilities of minority contractors and subcontractors to participate in highway construction of Federal-aid projects in Districts 3, 4, 5, 6, 7, 8, 23, 24 and 25.

NOW, THEREFORE, the Engineer-Director is hereby authorized and directed to enter into a contract with Mexican American Research Center of Austin, Texas to provide such services at a cost not to exceed \$110,000.00, subject to the concurrence of the Federal Highway Administration.

83427

WHEREAS, the Federal Highway Administration has made available to the State Department of Highways and Public Transportation certain funds for a Supportive Services Program (including Minority Business Enterprise training) as authorized by 23 USC 140(b) and Volume 6, Chapter 4, Section 1, Subsection 2 of the Federal-Aid Highway Program Manual which outlines Equal Employment Opportunity on Federal-Aid Contracts including Supportive Services; and

WHEREAS, the Federal Highway Administration Notice N 5180.19 dated December 2, 1983 allocated Fiscal Year 1984 funds in sufficient amount to finance the cost of a Minority Business Enterprise Program at no cost to the State; and

WHEREAS, it is in the interest of the State to contract for a Minority Business Enterprise Program designed to provide training, technical assistance and/or information that will increase the abilities of minority contractors and subcontractors to participate in highway construction of Federal-aid projects in Districts 1, 2, 9, 10, 11, 17, 18, 19 and 20.

NOW, THEREFORE, the Engineer-Director is hereby authorized and directed to enter into a contract with A. O. Phillips & Associates, of Houston, Texas to provide such services at a cost not to exceed \$115,000.00, subject to the concurrence of the Federal Highway Administration.

83428

WHEREAS, the Federal Highway Administration has made available to the State Department of Highways and Public Transportation certain funds for a Supportive Services Program (including Minority Business Enterprise training) as authorized by 23 USC 140(b) and Volume 6, Chapter 4, Section 1, Subsection 2 of the Federal-Aid Highway Program Manual which outlines Equal Employment Opportunity on Federal-Aid Contracts including Supportive Services; and

WHEREAS, the Federal Highway Administration Notice N 5180.19 dated December 2, 1983 allocated Fiscal Year 1984 funds in sufficient amount to finance the cost of a Minority Business Program at no cost to the State; and

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August 29, 1985

83428 Continued --

WHEREAS, it is in the interest of the State to contract for a Minority Business Enterprise Program designed to provide training, technical assistance and/or information that will increase the abilities of minority contractors and subcontractors to participate in highway construction of Federal-aid projects in Districts 12, 13, 14, 15, 16 and 21.

NOW, THEREFORE, the Engineer-Director is hereby authorized and directed to enter into a contract with Southwest Development Associates of Austin, Texas to provide such services at a cost not to exceed \$125,000.00, subject to the concurrence of the Federal Highway Administration.

Mr. Stoker made the following motion:

That the Department request an Attorney General's opinion to resolve an apparent conflict in legislation regarding award of contracts to out-of-state contractors.

83429 In ANDREWS COUNTY, on bids received August 8, 1985, contract for construction of Project CD 228-5-40, on U.S. HIGHWAY 385, a distance of 0.000 mile, is awarded to Roy Willis Electric Co., Inc., Abilene, Texas, for \$79,140.00, which is the lowest and best bid.

83430 In ATASCOSA COUNTY, on bids received August 7, 1985, contract for construction of Project CD 748-6-10, on FARM TO MARKET ROAD 1099, a distance of 1.835 miles, is awarded to E. E. Hood & Sons, Inc., Von Ormy, Texas, for \$312,547.96, which is the lowest and best bid.

83431 In AUSTIN and COLORADO COUNTIES, on bids received August 7, 1985, contract for construction of Project MC 187-3-34 and MC 266-8-2, on STATE HIGHWAY 36 and LOOP 329, a distance of 0.000 mile, is awarded to Pfeiffer & Son, Inc., La Porte, Texas, for \$30,390.00, which is the lowest and best bid.

83432 In BELL COUNTY, on bids received August 9, 1985, contract for construction of Federal Project DP-MA-F 1157(5), Control 0184-03-019, on STATE HIGHWAY 53, a distance of 1.420 miles, is awarded to Odell Geer Construction Company, Inc., Harker Heights, Texas, for \$1,191,204.50, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

83433 In BEXAR COUNTY, on bids received August 7, 1985, contract for construction of Federal Project I 35-2(186)157, Control 0017-10-149, on INTERSTATE HIGHWAY 35, a distance of 0.502 mile, is awarded to Ray Faris, Inc., San Antonio, Texas, for \$1,370,791.35, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

83434 In BEXAR COUNTY, on bids received August 9, 1985, contract for construction of Federal Project MA-M Q159(3) and RS 2359(26), Control 2452-02-021, 2452-02-033 and 2452-03-055, on LOOP 1604, a distance of 2.591 miles, is awarded to Dean Word Company, and Jascon, Inc., New Braunfels, Texas, for \$8,313,318.04, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

83435 In BOSQUE, CORYELL, McLENNAN and BELL COUNTIES, on bids received August 7, 1985, contract for construction of Federal Project HES 000S(461), etc., Control 0121-01-029, etc., on STATE HIGHWAYS 22 & 317, U.S. HIGHWAY 190, LOOP 396, CITY STREET and FARM TO MARKET ROAD 2113, a distance of 0.000 mile, is awarded to Florida Traffic Control Devices, Inc., Altamonte Springs, Florida, for \$221,359.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

August 29, 1985

- 83436 In BOWIE COUNTY, on bids received August 9, 1985, contract for construction of Project C 10-13-55, on U.S. HIGHWAY 67, a distance of 0.633 mile, is awarded to J-W Payne Construction Co., Inc., Texarkana, Texas, for \$939,826.60, which is the lowest and best bid.
- 83437 In BRAZOS COUNTY, on bids received August 8, 1985, contract for construction of Federal Project HES 000S(491), Control 2446-01-009, on STATE HIGHWAY 30, a distance of 1.583 miles, is awarded to Holes Incorporated, Houston, Texas, for \$1,559,335.58, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83438 In BROOKS and HIDALGO COUNTIES, on bids received August 9, 1985, contract for construction of Project CSR 255-3-19, etc., on U.S. HIGHWAY 281 and LOOP 113, a distance of 5.645 miles, is awarded to Withers Construction, Inc., McAllen, Texas, for \$985,875.58, which is the lowest and best bid.
- 83439 In BURNET COUNTY, on bids received August 8, 1985, contract for construction of Federal Project SR 3415 (3), Control 1349-03-007, on RANCH TO MARKET ROAD 1174, a distance of 0.302 mile, is awarded to Texas Bridge Company, Inc., Manchaca, Texas, for \$368,945.25, which is the lowest and best bid.
- 83440 In BURNET COUNTY, on bids received August 7, 1985, contract for construction of Project CSR 1349-2-4, on RANCH TO MARKET ROAD 1174, a distance of 0.700 mile, is awarded to Dean Word Company, New Braunfels, Texas, for \$713,174.74, which is the lowest and best bid.
- 83441 In CALHOUN COUNTY, on bids received August 9, 1985, contract for construction of Federal Project M N209(1), Control 8209-13-001, on METROPOLITAN HIGHWAY 726, a distance of 0.277 mile, is awarded to Brannan Paving Company, Inc., Victoria, Texas, for \$206,405.16, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83442 In CHAMBERS COUNTY, on bids received August 8, 1985, contract for construction of Project CSR 367-1-48, on STATE HIGHWAY 124, a distance of 5.468 miles, is awarded to APAC - Texas, Inc., Dallas, Texas, for \$2,698,261.70, which is the lowest and best bid.
- 83443 In COLORADO COUNTY, on bids received August 7, 1985, contract for construction of Federal Project IR 10-6(59)698, Control 0271-01-045, on INTERSTATE HIGHWAY 10, a distance of 0.110 mile, is awarded to BRH-Garver, Inc., Houston, Texas, for \$620,490.20, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83444 In COOKE COUNTY, on bids received August 8, 1985, contract for construction of Federal Project HES 000S(338), Control 0194-03-011, on U.S. HIGHWAY 82 and FARM TO MARKET ROAD 372, a distance of 0.000 mile, is awarded to Florida Traffic Control Devices, Inc., Altamonte Springs, Florida, for \$79,400.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83445 In DALLAS COUNTY, on bids received August 7, 1985, contract for construction of Federal Project IRG 635-6(275)458, Control 2374-01-061, on INTERSTATE HIGHWAY 635, a distance of 0.000 mile, is awarded to Florida Traffic Control Devices, Inc., Altamonte Springs, Florida, for \$112,281.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

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- 83446 In DALLAS COUNTY, on bids received August 8, 1985, contract for construction of Federal Project I 20-5(109)481, Control 0095-13-010, on INTERSTATE HIGHWAY 20, a distance of 2.038 miles, is awarded to The R. E. Hable Company, Corsicana, Texas, for \$16,575,417.20, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83447 In DEAF SMITH COUNTY, on bids received August 9, 1985, contract for construction of Project CD 226-5-32, on U.S. HIGHWAY 385, a distance of 1.032 miles, is awarded to Appian Corporation, Hereford, Texas, for \$1,369,124.81, which is the lowest and best bid.
- 83448 In DENTON COUNTY, on bids received August 7, 1985, contract for construction of Project CSB 195-2-37 and CSB 196-1-55, on U.S. HIGHWAY 77, a distance of 6.010 miles, is awarded to Jagoe-Public Company, Denton, Texas, for \$656,631.91, which is the lowest and best bid.
- 83449 In EL PASO COUNTY, on bids received August 7, 1985, contract for construction of Federal Project HES 000S(359) and CSR 1-6-11, Control 0001-04-052 and 0001-06-011, on U.S. HIGHWAY 85 and FARM TO MARKET ROAD 260, a distance of 0.304 mile, is awarded to W. R. Boyd, Inc., Center, Texas, for \$373,665.60, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83450 In ELLIS COUNTY, on bids received August 9, 1985, contract for construction of Project CSB 568-1-35, on STATE HIGHWAY 34, a distance of 10,868 miles, is awarded to Young Brothers, Inc. Contractors, Waco, Texas, for \$1,123,188.17, which is the lowest and best bid.
- 83451 In ELLIS COUNTY, on bids received August 8, 1985, contract for construction of Project CSB 172-5-76, on U.S. HIGHWAY 287, a distance of 5.917 miles, is awarded to APAC - Texas, Inc., Dallas, Texas, for \$888,010.35, which is the lowest and best bid.
- 83452 In FORT BEND COUNTY, on bids received August 8, 1985, contract for construction of Project CSR 27-14-3, on LOOP 294, a distance of 1.366 miles, is awarded to Durwood Greene Construction Co., Stafford, Texas, for \$498,458.04, which is the lowest and best bid.
- 83453 In GARZA COUNTY, on bids received August 9, 1985, contract for construction of Federal Project BRF 635(11) and BRF 1096(4), Control 0053-05-037, 0053-06-020 and 0298-01-029, on U.S. HIGHWAYS 84 and 380, a distance of 1.554 miles, is awarded to Clearwater Constructors, Inc., Austin, Texas, for \$3,703,127.85, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83454 In GRAYSON COUNTY, on bids received August 7, 1985, contract for construction of Project CSR 47-13-11, on U.S. HIGHWAY 75, a distance of 9.451 miles, is awarded to Lattimore Materials Company, Denison, Texas, for \$6,267,600.75, which is the lowest and best bid.
- 83455 In GRIMES COUNTY, on bids received August 9, 1985, contract for construction of Federal Project MR J250(2), Control 0643-05-019, on FARM TO MARKET ROAD 3090, a distance of 1.151 miles, is awarded to Robert Lange, Incorporated, Brenham, Texas, for \$787,216.96, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

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- 83456 In HARRIS COUNTY, on bids received August 8, 1985, contract for construction of Federal Project I 45-1(234)041 and IR 45-1(235)044, Control 0500-03-327, 0500-03-333 and 0500-03-385, on INTERSTATE HIGHWAY 45, a distance of 2.818 miles, is awarded to Trinity Construction Company, Inc., Houston, Texas, for \$4,567,654.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83457 In HARRIS COUNTY, on bids received August 9, 1985, contract for construction of Project C 3256-1-19, on BELTWAY 8, a distance of 2.354 miles, is awarded to J. D. Abrams, Inc., El Paso, Texas, for \$13,879,106.33, which is the lowest and best bid.
- 83458 In HARRIS COUNTY, on bids received August 7, 1985, contract for construction of Project C 1258-4-24, on FARM TO MARKET ROAD 1093, a distance of 5.807 miles, is awarded to Brown & Root U.S.A., Inc., Houston, Texas, for \$22,311,237.32, which is the lowest and best bid.
- 83459 In HARRIS COUNTY, on bids received August 7, 1985, contract for construction of Project C 3256-1-18, on BELTWAY 8, a distance of 1.761 miles, is awarded to Williams Brothers Construction Co., Inc., Houston, Texas, for \$9,088,256.71, which is the lowest and best bid.
- 83460 In HARRIS COUNTY, on bids received August 9, 1985, contract for construction of Project MC 177-7-68, MC 177-11-98 and MC 3256-2-31, on U.S. HIGHWAY 59 and BELTWAY 8, a distance of 0.000 mile, is awarded to Florida Traffic Control Devices, Inc., Altamonte Springs, Florida, for \$257,400.00, which is the lowest and best bid.
- 83461 In HARRIS COUNTY, on bids received August 9, 1985, contract for construction of Project CSB 720-3-63, on FARM TO MARKET ROAD 149, a distance of 3.347 miles, is awarded to Jones G. Finke Inc., Sealy, Texas, for \$1,539,175.45, which is the lowest and best bid.
- 83462 In HARRIS COUNTY, on bids received August 8, 1985, contract for construction of Project CSR 980-1-21 and CSR 1685-7-3, on FARM TO MARKET ROAD 527 and LOOP 184, a distance of 5.788 miles, is awarded to APAC - Texas, Inc., Dallas, Texas, for \$2,958,561.12, which is the lowest and best bid.
- 83463 In HASKELL COUNTY, on bids received August 8, 1985, contract for construction of Federal Project BRO 8(17)X, Control 0908-22-001, on COUNTY ROAD 166, a distance of 0.150 mile, is awarded to Bob And Bobby Nobles Dirt Contractors, Colorado City, Texas, for \$144,779.90, which is the lowest and best bid.
- 83464 In HASKELL and JONES COUNTIES, on bids received August 7, 1985, contract for construction of Federal Project MA-F 493(7), Control 0157-04-023 and 0157-05-035, on U.S. HIGHWAY 277, a distance of 3.263 miles, is awarded to Bemis Construction, Inc. and Wittwer Construction Company, Inc., Stillwater, Oklahoma, for \$7,387,402.94, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83465 In HUDSPETH COUNTY, on bids received August 8, 1985, contract for construction of Project CD 1282-2-12, on FARM TO MARKET ROAD 1111, a distance of 10.932 miles, is awarded to Heavy-Highway Constructors, Inc., Amarillo, Texas, for \$957,587.50, which is the lowest and best bid.

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- 83466 In JOHNSON COUNTY, on bids received August 7, 1985, contract for construction of Project C 19-1-84, on STATE HIGHWAY 174, a distance of 0.000 mile, is awarded to J-W Payne Construction Co., Inc., Texarkana, Texas, for \$61,166.00, which is the lowest and best bid.

- 83467 In KAUFMAN COUNTY, on bids received August 7, 1985, contract for construction of Project CSB 95-4-47 and CSB 95-5-44, on U.S. HIGHWAY 80, a distance of 8.573 miles, is awarded to H. B. Zachry Company, San Antonio, Texas, for \$984,494.00, which is the lowest and best bid.

- 83468 In LIBERTY COUNTY, on bids received August 9, 1985, contract for construction of Project CSR 813-1-72 and CSR 1061-1-18, on FARM TO MARKET ROADS 787 and 1010, a distance of 7.034 miles, is awarded to L-W-B Construction Company, Inc., Conroe, Texas, for \$1,592,367.35, which is the lowest and best bid.

- 83469 In LLANO COUNTY, on bids received August 9, 1985, contract for construction of Federal Project SR 2507 (4), Control 2687-01-007, on RANCH TO MARKET ROAD 2147, a distance of 0.211 mile, is awarded to Allen Ketter Company, Fredericksburg, Texas, for \$394,420.17, which is the lowest and best bid.

- 83470 In MARION and HARRISON COUNTIES, on bids received August 7, 1985, contract for construction of Project C 62-6-36 and C 62-7-46, on U.S. HIGHWAY 59, a distance of 4.316 miles, is awarded to The Porter Co., Inc. and H. H. Howard & Sons, Inc., Henderson, Texas, for \$11,653,059.85, which is the lowest and best bid.

- 83471 In McLENNAN COUNTY, on bids received August 8, 1985, contract for construction of Federal Project IRG 35-4(148)318, Control 0015-02-043, on INTERSTATE HIGHWAY 35, a distance of 0.529 mile, is awarded to Austin Bridge Company, Dallas, Texas, for \$2,123,774.20, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

- 83472 In McLENNAN COUNTY, on bids received August 7, 1985, contract for construction of Federal Project MA-F 601(24), Control 0055-08-059, on U.S. HIGHWAY 84, a distance of 0.398 mile, is awarded to Young Brothers, Inc. Contractors, Waco, Texas, for \$2,436,281.75, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.

- 83473 In MEDINA COUNTY, on bids received August 8, 1985, contract for construction of Project MC 24-6-45, on U.S. HIGHWAY 90, a distance of 0.524 mile, is awarded to Jascon, Inc., Uvalde, Texas, for \$73,672.05, which is the lowest and best bid.

- 83474 In MONTGOMERY and HARRIS COUNTIES, on bids received August 9, 1985, contract for construction of Project CSR 3050-2-4 and CSR 3050-3-4, on FARM TO MARKET ROAD 2978, a distance of 8.920 miles, is awarded to Jones G. Finke Inc., Sealy, Texas, for \$1,607,181.15, which is the lowest and best bid.

- 83475 In NACOGDOCHES and ANGELINA COUNTIES, on bids received August 8, 1985, contract for construction of Project CD 176-1-62, CD 176-2-68 and CD 336-5-37, on U.S. HIGHWAY 59 and STATE HIGHWAY 103, a distance of 23.272 miles, is awarded to T. Richard Vardeman, Inc., Nacogdoches, Texas, for \$92,990.46, which is the lowest and best bid.

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- 83476 In NACOGDOCHES COUNTY, on bids received August 7, 1985, contract for construction of Federal Project HES 000S(396), Control 0175-08-029, on LOOP 495, a distance of 0.000 mile, is awarded to Teal Contracting Co., Inc., Beaumont, Texas, for \$37,597.15, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83477 In NAVARRO COUNTY, on bids received August 9, 1985, contract for construction of Federal Project IR 45-3(78)213, Control 0166-01-035, on INTERSTATE HIGHWAY 45, a distance of 6.284 miles, is awarded to H. B. Zachry Company, San Antonio, Texas, for \$12,161,085.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83478 In NUECES COUNTY, on bids received August 7, 1985, contract for construction of Federal Project MA-F 1113(31), Control 0617-01-076, on STATE HIGHWAY 358, a distance of 3.143 miles, is awarded to Heldenfels Brothers, Inc., Corpus Christi, Texas, for \$25,515,785.95, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83479 In NUECES COUNTY, on bids received August 8, 1985, contract for construction of Federal Project MA-F 424(32), Control 0373-02-060, on U.S. HIGHWAY 77, a distance of 1.041 miles, is awarded to Heldenfels Brothers, Inc., Corpus Christi, Texas, for \$5,598,839.27, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83480 In POLK COUNTY, on bids received August 7, 1985, contract for construction of Federal Project HES 000S(310), Control 0213-03-054, on U.S. HIGHWAY 190, a distance of 0.445 mile, is awarded to 3C Services, Inc., Houston, Texas, for \$86,609.50, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83481 In POTTER COUNTY, on bids received August 8, 1985, contract for construction of Federal Project MG C009(1), Control 1624-01-012, on FARM TO MARKET ROAD 1719, a distance of 0.501 mile, is awarded to Heavy-Highway Constructors, Inc., Amarillo, Texas, for \$1,178,567.50, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83482 In ROCKWALL COUNTY, on bids received August 8, 1985, contract for construction of Federal Project HES 000S(343) and MC 9-4-37, Control 0009-04-037 and 0009-04-038, on STATE HIGHWAY 66, a distance of 0.000 mile, is awarded to Florida Traffic Control Devices, Inc., Altamonte Springs, Florida, for \$138,400.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83483 In TARRANT COUNTY, on bids received August 7, 1985, contract for construction of Federal Project IRG 20-4(188)445, Control 2374-05-027, on INTERSTATE HIGHWAY 20, a distance of 0.000 mile, is awarded to Sharrock Electric, Inc., Fort Worth, Texas, for \$111,660.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83484 In TITUS COUNTY, on bids received August 8, 1985, contract for construction of Project CSR 248-1-45, on U.S. HIGHWAY 271, a distance of 1.125 miles, is awarded to David Buster, Inc., Paris, Texas, for \$282,722.03, which is the lowest and best bid.

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- 83485 In TRAVIS COUNTY, on bids received August 9, 1985, contract for construction of Project MC 700-3-43, on STATE HIGHWAY 71, a distance of 0.000 mile, is awarded to Austin Traffic Signal Construction Co., Burnet, Texas, for \$34,000.00, which is the lowest and best bid.
- 83486 In TRAVIS COUNTY, on bids received August 7, 1985, contract for construction of Federal Project HES 000S(361) and HES 000S(362), Control 0151-06-074 and 0700-03-042, on U.S. HIGHWAY 183 and STATE HIGHWAY 71, a distance of 0.472 mile, is awarded to Austin Road Company, Fort Worth, Texas, for \$225,975.82, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83487 In TRAVIS COUNTY, on bids received August 9, 1985, contract for construction of Project C 1376-2-27, on FARM TO MARKET ROAD 1325, a distance of 0.000 mile, is awarded to J. C. Evans Construction Co., Inc., Austin, Texas, for \$59,787.50, which is the lowest and best bid.
- 83488 In TYLER COUNTY, on bids received August 7, 1985, contract for construction of Project A 1238-2-3, on FARM TO MARKET ROAD 92, a distance of 2.741 miles, is awarded to F. R. Lewis Construction Co., Inc., Nacogdoches, Texas, for \$1,689,035.84, which is the lowest and best bid.
- 83489 In VAL VERDE COUNTY, on bids received August 9, 1985, contract for construction of Federal Project MR X506(1), Control 8506-22-001, on METROPOLITAN HIGHWAY 750, a distance of 0.970 mile, is awarded to Brannan Paving Company, Inc., Victoria, Texas, for \$459,290.62, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83490 In VAN ZANDT COUNTY, on bids received August 8, 1985, contract for construction of Project CSR 443-1-19, on STATE HIGHWAY 198, a distance of 16.837 miles, is awarded to Duininck Bros. & Gilchrist, Prinsburg, Minnesota, for \$1,582,476.96, which is the lowest and best bid.
- 83491 In WHEELER COUNTY, on bids received August 9, 1985, contract for construction of Federal Project IR 40-2(18)146, Control 0275-12-044 and 0275-13-040, on INTERSTATE HIGHWAY 40, a distance of 30.551 miles, is awarded to Missouri Petroleum Products Company, St. Louis, Missouri, for \$1,688,115.03, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83492 In WINKLER COUNTY, on bids received August 9, 1985, contract for construction of Federal Project HES 000S(409), Control 0292-01-025, on STATE HIGHWAY 18, a distance of 0.000 mile, is awarded to CSR Electric, Inc., Odessa, Texas, for \$28,490.00, which is the lowest and best bid, subject to the concurrence of the Federal Highway Administration.
- 83493 In VARIOUS COUNTIES, on bids received August 9, 1985, contract for maintenance work of Contract Number 125XSM7002, on VARIOUS HIGHWAYS in District 12, is awarded to Maintech International, Inc., La Porte, Texas, which is the lowest and best bid.
- 83494 In GRIMES COUNTY, on bids received until 2:30 P.M., August 8, 1985, contract for construction of a WASH RACK FACILITY and FUEL PUMP CANOPY on existing Maintenance Site on Loop 508, Navasota, Texas, Project MC-17-H-12 and MC-17-I-12, District 17, Segment 77, Detail 000002409 and 000002410, is awarded to Fuqua Design & Construction Inc., P.O. Box 700, Pinehurst, Texas 77362, for \$24,317.00, which is the lowest and best bid.
- 83495 In RANDALL COUNTY, on bids received until 2:30 P.M., August 8, 1985, contract for construction of a DISTRICT STORAGE BUILDING at the District 4 Headquarters Site, Project MC-4-P-11, District 04, Segment 77, Detail 000002417, is awarded to Pharr & Company, P.O. Box 2791, Lubbock, Texas 79408, for \$29,700.00, which is the lowest and best bid.

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83496

WHEREAS, Minute Order 76654 directs the Engineer-Director to receive bids on contracts less than \$100,000.00 at the District Headquarters where appropriate; and

WHEREAS, Minute Order 77068 delegates to the Engineer-Director and the Assistant Engineer-Directors the authority and duty to review bids and to approve and sign contracts of less than \$100,000.00; and

WHEREAS, authority to reject and/or default contracts remains the responsibility of the Commission;

NOW, THEREFORE, the attached lists comprised of Routine Maintenance Contracts executed, rejected and/or defaulted during the period from July 5, 1985 through August 8, 1985, be and are hereby approved.

83497
MGG

WHEREAS, in BEXAR COUNTY on FARM TO MARKET ROAD 1560 from Farm to Market Road 471 to State Highway 16, a distance of approximately 5.2 miles, the State Department of Highways and Public Transportation is preparing plans for reconstruction; and

WHEREAS, the City of Helotes has requested the Department to include construction of a roadway between Farm to Market Road 1560 and the intersection of Old Galm Road and Antonio Road; and

WHEREAS, the Department desires to assist in this request;

NOW, THEREFORE, the Engineer-Director is directed to enter into any necessary agreements with the City of Helotes for development of the project and to proceed with the additional work as planned, financing the cost with funds provided by the City of Helotes.

83498
MGG

WHEREAS, in BEXAR COUNTY on LOOP 1604 from 0.2 mile west of Missouri Pacific Railroad to 0.5 mile west of Interstate Highway 35, a distance of approximately 1.7 miles, the State Department of Highways and Public Transportation is preparing plans for reconstruction; and

WHEREAS, the City of Live Oak has requested addition of an exit ramp to decrease anticipated traffic congestion at the Lookout Road intersection; and

WHEREAS, the City of Live Oak has offered to provide additional right of way required for said ramp and donate \$375,000.00 toward its construction cost; and

WHEREAS, the State Department of Highways and Public Transportation desires to assist in this request;

NOW, THEREFORE, the Engineer-Director is directed to enter into any necessary agreements with the City of Live Oak for development of the project and to proceed in the most feasible and economical manner with the work as planned at an estimated cost of \$700,000.00, financing a portion of the cost in the amount of \$375,000.00 with funds provided by the City of Live Oak and \$325,000.00 in the next appropriate program.

83499
MGG

WHEREAS, in BEXAR COUNTY, Minute Order 82994 dated April 18, 1985 provided for the construction of a new State Highway from U.S. Highway 90 at Masterson Road, north to Farm to Market Road 1957, along with an interchange at U.S. Highway 90, all at an estimated cost to the State of \$6,700,000.00, as requested by appropriate local officials in order to accommodate anticipated traffic resulting from the completion of Sea World; and

WHEREAS, subsequent to acceptance of the above-stated order by the City of San Antonio and Bexar County, Sea World has relocated to a site near the intersection of Loop 1604 and State Highway 151; and

WHEREAS, the highway improvements set forth in the above-stated Minute Order are no longer pertinent; and

(Continued on next page)

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83499 Continued --

WHEREAS, appropriate local officials have now requested certain other highway improvements, all as delineated below, in order to alleviate anticipated traffic congestion resulting from the completion of Sea World at its relocated site near the intersection of Loop 1604 and State Highway 151; and

WHEREAS, the State Department of Highways and Public Transportation desires to assist in this request;

NOW, THEREFORE, IT IS ORDERED that Minute Order 82994 be and is hereby cancelled and the Engineer-Director is directed to tender the following proposal to the City of San Antonio and Bexar County:

Provided that on Farm to Market Road 1957, from Spur 1957 west to Loop 1604, a distance of approximately 4.9 miles, the City and/or the County will:

1. Furnish all additional right of way necessary for the improvements of said Road, free of cost and clear of obstructions with acquisition procedures to be in accordance with applicable Federal and State laws governing the acquisition policies for acquiring real property.
2. Provide for adjustment of utilities as required.
3. Provide for the construction of continuous curb and gutter, storm sewers, etc., all as may be necessary for a complete project with the exception of pavement and its support.
4. Assume responsibility for the construction of driveways and sidewalks should they be deemed necessary now or in the future and agree to make such installations in accordance with the governing policies and regulations of the Department.

Provided that on Loop 1604, from State Highway 16 south to U.S. Highway 90, a distance of approximately 12.6 miles, the City and/or the County will:

1. Furnish all additional right of way necessary for ultimate development to full freeway standards, free of cost and clear of obstructions with acquisition procedures to be in accordance with applicable Federal and State laws governing the acquisition policies for acquiring real property.

The State Department of Highways and Public Transportation will:

1. Perform necessary preliminary engineering to determine the required right of way and turn the necessary data over to the City and/or County for their use in acquiring right of way.
2. Perform necessary excavation for the future freeway main lanes of State Highway 151 from 0.2 miles south of Military Drive to 0.2 miles north of Wiseman Boulevard, a distance of approximately 2.8 miles; and construct bridge structures crossing over State Highway 151 at Military Drive, Westover Hills Boulevard, and Wiseman Boulevard, and construct an interchange at Loop 1604; all at an estimated cost of \$9,400,000.00 and all a part of the ultimate freeway development of State Highway 151 as presently included in the Category 3 Approved 5-Year Development Schedule of the Project Development Plan.
3. Maintain that portion of the work which is its responsibility in accordance with governing policies and regulations.

(Continued on next page)

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83499 Continued --

Upon acceptance of the provisions of this Order by the appropriate officials of the City of San Antonio and Bexar County, the Engineer-Director is directed to enter into any necessary agreements for development of the project and to proceed with development of plans for construction; and after the City and/or the County have fulfilled their responsibilities, proceed with construction in the most feasible and economical manner, subsequent to positive assurance that Sea World will develop.

It is understood that the City and/or the County may discharge their construction obligations as outlined herein in any manner as they may elect. In the event the City and/or the County desires the State to include their portion of work in the State's construction contract, the Engineer-Director is hereby authorized to enter into agreements with the City and/or the County for such work and related cost as may be agreed upon.

It is also understood that funds for construction on Farm to Market Road 1957 are not presently available and that such construction will be returned to the attention of the Commission at a future date for consideration of financing.

This Order shall become operative upon acceptance by the City of San Antonio and Bexar County and if not accepted within 90 days of the date hereof, the action herein contained shall be automatically cancelled.

83500
MGG

WHEREAS, in BEXAR COUNTY, Minute Order Number 81732 designated a State Highway extending from U.S. Highway 90 near Acme Road, northwest to Loop 1604, south of Culebra Road, a distance of approximately 10.1 miles, subject to the condition that construction of frontage roads between U.S. Highway 90 and Interstate Highway 410 will occur before or simultaneously with the frontage roads between Interstate Highway 410 and Loop 1604; and

WHEREAS, the City of San Antonio has requested modification of this condition to accommodate construction to serve the anticipated traffic due to Sea World; and

WHEREAS, the Citizens Organized for Public Service has concurred in this requested modification;

NOW, THEREFORE, IT IS ORDERED that the construction sequences outlined in paragraph 4 on page 3 of Minute Order Number 81732 be and are hereby cancelled and the Engineer-Director is directed to proceed in the most expedient manner with development of this project over its entire length.

83501
MGG

WHEREAS, in COLLIN COUNTY, appropriate officials of the City of Allen have requested assistance in construction of the following projects:

Number	Road/ Hwy.	Limits	Approx. Length (Mi.)	Existing		Proposed	Estimated Cost
				Existing	Proposed		
1.	FM 2170	Fr. US 75, E to SH 5	0.9	2 Lane FM Road	4 Lane & 6 Lane Urban	\$4,100,000 Const. \$1,750,000 ROW	
2.	FM 2170	Fr. SH 5, E to Allen Heights Road	1.3	2 Lane FM Road	6 Lane Urban	\$3,752,000 Const. \$ 486,000 ROW	
3.	FM 2170	Fr. US 75, W to Alma Road	1.2	2 Lane FM Road	4 Lane & 6 Lane	\$3,129,000 Const. \$ 240,000 ROW	
4.	US 75	At Exchange Parkway	0.1	None	Grade Separation	\$2,654,000 Const.	

(Continued on page)

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83501 Continued --

<u>Number</u>	<u>Road/ Hwy.</u>	<u>Limits</u>	<u>Approx. Length (Mi.)</u>	<u>Existing</u>	<u>Proposed</u>	<u>Estimated Cost</u>
5.	US 75	At Bethany Road	0.1	2 Lane Underpass	6 Lane Underpass & Turn- arounds	\$1,960,000 Const. \$ 204,000 ROW
6.	US 75	At FM 2170	0.1	2 Lane Underpass	6 Lane Underpass and Turn Lanes	\$3,142,000 Const.
7.	US 75	At Exchange Parkway	0.3	None	Exit & Entrance Ramps	\$ 490,000 Const.
8.	US 75	At Cottonwood Creek	0.2	None	N.B. Frontage Road Bridge	\$ 470,000 Const.
9.	SH 5	Fr. Chaparral, N to FM 2170	2.2	2 Lane Rural	6 Lane Urban	\$6,552,000 Const. \$ 580,000 ROW
10.	SH 5	Fr. FM 2170, N to Exchange Parkway	1.0	2 Lane Rural	6 Lane Urban	\$2,660,000 Const. \$ 252,000 ROW; and

WHEREAS, the State Department of Highways and Public Transportation desires to assist in this request;

NOW, THEREFORE, the Engineer-Director is directed to tender the following proposal to the City of Allen:

Provided the City will:

For Projects 1 through 4 -

1. Furnish all required right of way free of cost and clear of obstructions.
2. Adjust all utilities as necessary.
3. Furnish or provide for all preliminary engineering including construction plans, specifications and estimates, all subject to review and approval by the Department.
4. Provide for all construction.

For Projects 9 and 10 -

1. Secure all necessary right of way according to policies of the State Department of Highways and Public Transportation with acquisition procedures to be in accordance with applicable Federal and State laws governing the acquisition policies for acquiring real property.

For Projects 1 through 10 -

1. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreement and agree to regulate traffic and prevent encroachment on the right of way, all in accordance with governing policies and regulations of the Department.

(Continued on next page)

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83501 Continued --

The State Department of Highways and Public Transportation will:

For Projects 5 through 10 -

- 1. Prepare construction plans, specifications and estimates.
- 2. Provide for all construction.

For Projects 9 and 10 -

- 1. Participate in the purchase of right of way and provide relocation assistance as may be determined to be eligible under the Relocation Assistance Program.

For Projects 1 through 10 -

- 1. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreement.

Upon acceptance of the provisions of this Order by the appropriate officials of the City of Allen, the Engineer-Director is directed to enter into contractual agreements for acquisition of the required right of way for Projects 9 and 10, to proceed with development of plans for construction and after the City has fulfilled its responsibilities, proceed with construction in the most feasible and economical manner, financing the cost of Projects 5 through 10 in the next appropriate program.

It is understood that the City may discharge its construction obligations as outlined herein in any manner at they may elect. If the City desires to construct or let contracts for construction of Projects 1 through 4, the Department will have full authority to inspect, accept or reject all such construction. In the event the City desires the State to include its portion of work in the State's construction contract, the Engineer-Director is hereby authorized to enter into agreement with the City for such work and its cost as may be agreed upon.

This Order shall become operative upon acceptance by the City of Allen and if not accepted within 90 days of the date hereof, the action herein contained shall be automatically cancelled.

83502
MGG

IT IS ORDERED that the following projects be and are hereby cancelled and that funds so released be transferred for use by District 3 in the 1986 State Highway Safety and Betterment and Farm to Market Road Improvement Program.

<u>County</u>	<u>Road</u>	<u>Location</u>	<u>Length</u>	<u>Type of Work</u>	<u>Cost</u>
Cooke	FM 372	From FM 902 to Grand Avenue in Gainesville	1.4 Mi.	Widen & Resurface	\$ 381,000*
Clay	FM 1197	In Henrietta from Wichita Street to 5th Street	0.5 Mi.	Widen Grading, Structures & Surfacing	\$ 116,000**

*The 1982 Rehabilitation and State Highway Safety and Betterment and Farm to Market Road Improvement Program.

**The 1983 State Highway Safety and Betterment and Farm to Market Road Improvement Program.

August 29, 1985

83503
MGG

WHEREAS, in DALLAS COUNTY on INTERSTATE HIGHWAY 20 from west of Shepherd Road to east of relocated Beltline Road, a distance of approximately 2.0 miles, the State Department of Highways and Public Transportation is preparing plans for construction; and

WHEREAS, Southwestern Bell Telephone Company desires to install conduit as a part of the project;

NOW, THEREFORE, the Engineer-Director is directed to enter into any necessary agreements with Southwestern Bell Telephone Company for development of the project and to proceed with the work as planned, financing the cost of the conduit with funds provided by Southwestern Bell Telephone Company.

83504
MGG

In EL PASO COUNTY, in El Paso, the Engineer-Director is directed to proceed in the most feasible and economical manner with acquisition of required right of way at the following locations and at the estimated State cost shown:

<u>Highway</u>	<u>Location</u>	<u>Estimated State Cost</u>
US 62	From Coles Street to Eucalyptus Street	\$ 169,000
IH 10	From Chelsea Street to Fort Bliss Railroad Spur Overpass	\$ 75,000

83505
MGG

WHEREAS, in FORT BEND COUNTY on FARM TO MARKET ROAD 521 approximately 1.5 miles south of Farm to Market Road 2234, Browning-Ferris Industries has requested construction of additional lanes and installation of signalization; and

WHEREAS, the State Department of Highways and Public Transportation desires to assist in this request;

NOW, THEREFORE, the Engineer-Director is directed to enter into any necessary agreements with Browning-Ferris Industries for development of the project and to proceed with the work as planned, financing the cost with funds provided by Browning-Ferris Industries.

83506
Claims

WHEREAS, in FORT BEND COUNTY on FARM TO MARKET ROAD 3345, South Texas Construction Company was awarded a contract in the amount of \$2,793,304.55 on Project A 3420-1-3 for construction; and

WHEREAS, upon completion of the project, the Contractor filed a claim for additional compensation of \$275,000.00, such amount allegedly incurred due to changed circumstances; and

WHEREAS, after careful review of the Contractor's Claim and reports furnished by the District Engineer and the Construction Engineer and a meeting with the Contractor, it is the recommendation of the Contractors Review Committee that the claim be denied; and

WHEREAS, the Engineer-Director concurs in this recommendation; and

WHEREAS, the State Highway and Public Transportation Commission concurs in this recommendation;

NOW, THEREFORE, IT IS ORDERED that the claim be denied.

IT IS FURTHER ORDERED that the Contractor be furnished a copy of this Minute Order.

August 29, 1985

83507
Claims

WHEREAS, in FORT BEND COUNTY on FARM TO MARKET ROAD 3345 South Texas Construction Company was awarded a contract in the amount of \$2,793,304.55 on Project A 3420-1-3; and

WHEREAS, upon completion of the project, the Contractor filed a lawsuit in the amount of \$275,000.00 to recover alleged damages; and

WHEREAS, an out-of-court settlement in the amount of \$135,000.00 has been negotiated by the Attorney General's Office;

NOW, THEREFORE, the Engineer-Director is directed to take steps to secure a warrant in the amount of \$135,000.00 for the Contractor, South Texas Construction Company.

83508
MGG

WHEREAS, in GRAY COUNTY on STATE HIGHWAY 70 in Pampa from State Highway 152 to 21st Street, a distance of approximately 1.7 miles, a project for reconditioning base and resurfacing was approved in the 1983-1986 Urban System Program; and

WHEREAS, the City of Pampa is not able to comply with Federal regulations regarding parking;

NOW, THEREFORE, IT IS ORDERED that the project be and is hereby cancelled and the Engineer-Director is directed to tender the following proposal to the City of Amarillo in POTTER COUNTY on FARM TO MARKET ROAD 1719 from U.S. Highway 66, north to 0.3 mile south of Burlington Northern Railroad, a distance of approximately 1.0 mile:

Provided the City will:

1. Furnish all required right of way clear of obstructions with acquisition procedures to be in accordance with applicable Federal and State laws governing the acquisition policies for acquiring real property.
2. Provide for the adjustment of utilities as may be required.
3. Provide for the construction of continuous curb and gutter and driveways and sidewalks as may be required.
4. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreement and agree to regulate traffic and prevent encroachment on the right of way, all in accordance with governing policies and regulations of the Department.

Subject to the availability of Federal-aid Urban System funds and the eligibility of the proposed work for financing with said funds, the State Department of Highways and Public Transportation will:

1. Prepare construction plans and specifications.
2. Provide for reconstruction of grading, structures and surfacing at an estimated cost of \$875,000.00.
3. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreement.

Upon acceptance of the provisions of this Order by the appropriate officials of the City of Amarillo, the Engineer-Director is directed to enter into any necessary agreements with the City for development of the project, to proceed with engineering development of the project and, after the City has fulfilled its responsibilities, to proceed with construction as authorized herein in the most feasible and economical manner, financing the cost in the amount of \$630,000.00 with funds released by the previous project cancellation and \$245,000.00 in the next appropriate program.

(Continued on next page)

August 29, 1985

83508 Continued --

It is understood that the City may discharge its construction obligations as outlined herein in any manner as it may elect. In the event the City desires the State to include its portion of the work in the State's construction contract, the Engineer-Director is hereby authorized to enter into agreement with the City for such work and its cost as may be agreed upon.

This Order shall become operative upon acceptance by the City of Amarillo and if not accepted within 90 days of the date hereof, the action herein contained shall be automatically cancelled.

83509
MGG

WHEREAS, in GRAYSON COUNTY on U.S. HIGHWAY 82 in Whitesboro, Whitesboro Truck Stop has requested construction of a crossover; and

WHEREAS, the State Department of Highways and Public Transportation desire to assist in this request;

NOW, THEREFORE, the Engineer-Director is directed to enter into any necessary agreements for development of the project and to proceed with the work as planned, financing the cost with funds provided by Whitesboro Truck Stop.

83510
D-18

In HARRIS COUNTY on U.S. HIGHWAY 59 from 1st Street in Humble to north of Lauder Road, a distance of approximately 6.7 miles, the Engineer-Director is directed to proceed in the most feasible and economical manner with installation of concrete median barrier at an estimated cost of \$1,607,600.00, financing the cost in the 1985 Statewide Highway Safety Improvement Program Revised.

83511
D-5

WHEREAS, on U.S. HIGHWAY 290 at approximately Station 1816+40, in HARRIS COUNTY, the Friendswood Development Company has requested permission to cross U.S. Highway 290 near Mueschke Road with a new drainage channel; and

WHEREAS, all costs attributable to the construction of the drainage facility across the highway including drainage structures and temporary traffic handling during construction will be borne by Friendswood Development Company; and

WHEREAS, the facilities authorized herein will be constructed to meet the design requirements of the State.

NOW, THEREFORE, the Engineer-Director is authorized to enter into an agreement with the Company for the construction of the drainage facilities across U.S. Highway 290, without cost to the State, and for assumption by the State of responsibility for maintaining the drainage structures following their completion.

83512
D-15

WHEREAS, in the City of Port Arthur, JEFFERSON COUNTY, Texas, on STATE HIGHWAY 82, a portion of the highway has been relocated and reconstructed on a new location; and

WHEREAS, as a result of such relocation and reconstruction, a portion of the right of way of State Highway 82 on the old location is no longer needed for highway purposes, said surplus portion being more particularly described in Exhibit A, attached hereto and made a part hereof;

NOW, THEREFORE, IT IS ORDERED that the designation of the above described portion of State Highway 82 be and is hereby cancelled with jurisdiction passing to the City of Port Arthur, Texas; and

FURTHER, that the Engineer-Director is directed to notify officials of the City of Port Arthur, Texas, of this action.

August 29, 1985

83513
D-18

WHEREAS, in LIBERTY COUNTY the City of Houston has requested approval to construct and maintain a diversionary channel along Luce Bayou for the purpose of diverting fresh water from the Trinity River Basin into Lake Houston; and

WHEREAS, said construction will necessitate the crossing of State Highway 321 and Farm to Market Road 1008 right of way; and

WHEREAS, the State Department of Highways and Public Transportation desires to assist in this request.

NOW, THEREFORE, IT IS ORDERED that such approval be and is hereby granted and the Engineer-Director is directed to enter into any necessary agreements with the City of Houston for development of the project.

83514
MGG

WHEREAS, in ORANGE COUNTY on FARM TO MARKET ROAD 105 from Cow Bayou to State Highway 62, a distance of approximately 1.6 miles, appropriate local officials have requested improvements; and

WHEREAS, the State Department of Highways and Public Transportation desires to assist in this request;

NOW, THEREFORE, the Engineer-Director is directed to tender the following proposal to Orange County:

Provided the County will:

1. Furnish all necessary right of way clear of obstructions and free of cost to the State with acquisition procedures to be in accordance with applicable Federal and State laws governing the acquisition policies for acquiring real property.
2. Provide for the adjustment of utilities as necessary.

The State Department of Highways and Public Transportation will:

1. Proceed with preliminary engineering necessary to determine right of way requirements.

Upon acceptance of the provisions of this Order by the appropriate officials of Orange County, the Engineer-Director is directed to proceed in the most feasible and economical manner with determination of right of way requirements and to prepare necessary deeds and furnish said deeds to the County for their use in acquiring right of way.

This Order shall become operative upon acceptance by Orange County and if not accepted within 90 days of the date hereof, the action herein contained shall be automatically cancelled.

83515
MGG

WHEREAS, in TARRANT COUNTY on FARM TO MARKET ROAD 1709 from U.S. Highway 377 to State Highway 114, a distance of approximately 8.4 miles, appropriate local officials have requested movement of the project previously included in Category 3 of the 10-Year Project Development Plan from the 5-Year Development Schedule to the 4-Year Letting Schedule; and

WHEREAS, the State Department of Highways and Public Transportation desires to assist in this request;

NOW, THEREFORE, the Engineer-Director is directed to tender the following proposal to the Cities of Southlake and Keller and Tarrant County:

Provided the Cities and County will:

1. Furnish all necessary right of way clear of obstructions and free of cost to the State with acquisition procedures to be in accordance with applicable Federal and State laws governing the acquisition policies for acquiring real property.

(Continued on next page)

August 29, 1985

83515 Continued --

2. Provide for adjustment of utilities as required.
3. Provide for the construction of continuous curb and gutter, storm sewers, etc., all as may be requested by the Cities and County and all as may be necessary for a complete project.
4. Assume responsibility for the construction of driveways and sidewalks where none now exist should they be deemed necessary now or in the future and agree to make such installations in accordance with governing policies and regulations of the Department.
5. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreements, and agree to regulate traffic and prevent encroachment on the right of way, all in accordance with governing policies and regulations of the Department.

The State Department of Highways and Public Transportation will:

1. Provide for widening pavement and its support within these limits.
2. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreements.

Upon acceptance of the provisions of this Order by the appropriate officials of Southlake and Keller and Tarrant County, IT IS ORDERED that the project be moved to the 4-Year Letting Schedule and the Engineer-Director is directed to enter into any necessary agreements for development of the project and to proceed with plans for construction.

In the event the Cities and/or County desire the State to include their portion of work in the State's construction contract, the Engineer-Director is hereby authorized to enter into agreement for such work and its cost as may be agreed upon.

This Order shall become operative upon acceptance by the Cities of Southlake and Keller and Tarrant County and if not accepted within 90 days of the date hereof, the action herein contained shall be automatically cancelled.

83516
MGG

WHEREAS, in TARRANT COUNTY, Minute Order 68084 dated October 4, 1973 designated a STATE HIGHWAY extending from Interstate Highway 35W and State Highway 121, southwest to Farm to Market Road 1187 and approved Route A as displayed at the public hearing which was held on May 2, 1973; and

WHEREAS, appropriate local officials no longer support all of said Route A;

NOW, THEREFORE, IT IS ORDERED that the previous approval of Route A in Minute Order 68084 be and is hereby cancelled and the Engineer-Director is directed to tender the following proposal to the City of Fort Worth and Tarrant County:

Provided the City and/or County will:

1. Furnish all necessary right of way clear of obstructions and free of cost to the State from Hulen Street, south to Farm to Market Road 1187, with acquisition procedures to be in accordance with Federal and State laws governing the acquisition policies for acquiring real property.

(Continued on next page)

August 29, 1985

83516 Continued --

2. Donate to the State all of the right of way required for this project that is on property owned by the City (not acquired for public road purposes), immediately upon approval of a geometric layout and being furnished a right of way map and instruments of conveyance. The City retains the right to use the donated right of way until needed for construction purposes.
3. Secure all necessary right of way and adjust utilities from Hulen Street, northeast to Interstate Highway 35W, according to policies of the State Department of Highways and Public Transportation, with acquisition procedures to be in accordance with Federal and State laws governing the acquisition policies for acquiring real property. Reimbursement to the City or County will be in accordance with Article 6702-1, Sec. 4.301, Subsec. C, V.A.C.S., as amended. The City and County may request the State to assume responsibility of acquisition under the "Alternate Procedure" authorized by the State Highway and Public Transportation Commission by Minute Order 80312. The City and County will contribute ten percent (10%) of the right of way cost in a manner prescribed by the State Department of Highways and Public Transportation.
4. Provide for construction of approved frontage roads from Hulen Street, south to Farm to Market Road 1187.
5. Secure authority to obtain acceptable and necessary earth construction material at no cost to the State from the channel of the West Fork of the Trinity River, as needed to construct embankment in an economical manner.

The State Department of Highways and Public Transportation will:

1. Provide with route, location and design studies, including engineering, social, economic, and environmental studies, and hold appropriate public meetings and hearings to establish a route and design that is consistent with the goals and objectives of the community.
2. Provide Relocation Assistance as may be required and determined to be eligible under the Relocation Assistance Program.
3. Provide for construction of main lanes, necessary frontage roads and interchanges between Interstate Highway 35W and Hulen Street, and construction of main lanes from Hulen Street to Farm to Market Road 1187, all as required by traffic and as funds become available.
4. Maintain the facility upon completion of construction.

This action is taken with the understanding that the State Department of Highways and Public Transportation will control location and design of the entire project and will retain the right to inspect, approve or disapprove all engineering work, construction plans, specifications and construction.

This action is also taken with the further understanding that the State Department of Highways and Public Transportation cannot be bound to firm commitment to future construction schedules due to the many related factors over which the Department has no control.

Upon acceptance of the provisions of this Order by the appropriate officials of the City of Fort Worth and Tarrant County, the Engineer-Director is directed to enter into any necessary agreements with the City of Fort Worth and Tarrant County for development of plans for construction and to proceed with the work outlined herein.

This Order shall become operative upon acceptance by the City of Fort Worth and Tarrant County and if not accepted within 90 days of the date hereof, the action contained herein shall be automatically cancelled.

August 29, 1985

83517
MGG

IT IS ORDERED that the following projects be and are hereby cancelled from the 1985 Railroad Grade Crossing Replanking Program:

<u>County</u>	<u>Project</u>	<u>Location</u>
Tarrant	CRX 363-4-13	SLSW Crossing on Spur 103 in Grapevine
Cameron	CRX 220-7-47	MP Crossing on FM 1792 in Port Brownsville
Collin	CRX 47-6-69	SLSW Crossing on US 75 in Plano
Kleberg	CRX 1446-1-7	MP Crossing on FM 1355 near Kingsville
Hall	CRX 1650-1	BN Crossing on FM 1619 South of Memphis

IT IS FURTHER ORDERED that the following projects be and are hereby added to the 1985 Railroad Grade Crossing Replanking Program:

<u>County</u>	<u>Project</u>	<u>Location</u>
Travis	CRX 113-13-78	MP Crossing on US 290/71 (Ben White Blvd.), in Austin
Duval	CRX 237-6	Tex-Mex Crossing on SH 44 in San Diego

83518
MGG

In TITUS COUNTY on COUNTY ROAD 211, IT IS ORDERED that replacement of structure AA0211001 and its approaches be and is hereby approved at an estimated cost of \$920,000.00 and the Engineer-Director is directed to proceed with the work in the most feasible and economical manner, financing the cost in the 1985-86 Off-State System Federal-Aid Bridge Replacement and Rehabilitation Program.

83519
MGG

WHEREAS, in TOM GREEN COUNTY, the State Department of Highways and Public Transportation is preparing plans for reconstruction on LOOP 378 and FARM TO MARKET ROAD 1223 from Avenue N in San Angelo to Red Arroyo, a distance of approximately 0.5 mile and from South Concho River to G.A.F.B. entrance, a distance of approximately 1.2 miles; and

WHEREAS, the City of San Angelo will have certain responsibilities in the project;

NOW, THEREFORE, the Engineer-Director is directed to tender the following proposal to the City of San Angelo:

Provided the City will:

1. Provide for the adjustment of utilities as may be required.
2. Provide for the construction of continuous curb and gutter, storm sewers, driveways and sidewalks, all as may be required and all in accordance with governing policies and regulations of the Department.
3. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreement and agree to regulate traffic and prevent encroachment on the right of way, all in accordance with governing policies and regulations of the Department.

The State Department of Highways and Public Transportation will:

1. Prepare construction plans and specifications.
2. Provide for widening and reconstruction at an estimated cost of \$877,187.00.
3. Maintain that portion of the work which is its responsibility in accordance with present maintenance agreement.

(Continued on next page)

August 29, 1985

83519 Continued --

Upon acceptance of the provisions of this Order by the appropriate officials of the City of San Angelo, the Engineer-Director is directed to enter into any necessary agreements with the City covering the details of the proposed improvements, to proceed with the engineering development of the project and after the City has fulfilled its responsibilities, to proceed with construction in the most feasible and economical manner, financing the cost with funds previously authorized in the 10-Year Project Development Plan, Category 3, 4-Year Letting Schedule.

It is understood that the City may discharge its construction obligations as outlined herein in any manner as it may elect. In the event the City desires the State to include its portion of the work in the State's construction contract, the Engineer-Director is hereby authorized to enter into agreement with the City for such work and its cost as may be agreed upon.

This Order shall become operative upon acceptance by the City of San Angelo and if not accepted within 90 days of the date hereof, the action herein contained shall be automatically cancelled.

83520
MGG

WHEREAS, in VICTORIA COUNTY on LOOP 463 from U.S. Highway 77 to Loop 175, a distance of approximately 5.6 miles, a project for construction of grading, structures and surfacing was approved in Category 3, 4-Year Letting Schedule, with notation that there was potential for local commitment to improve cost effectiveness; and

WHEREAS, Victoria County has pledged \$1,000,000.00 and the City of Victoria has pledged \$500,000.00 in support of the project.

NOW, THEREFORE, the Engineer-Director is directed to enter into any necessary agreements with Victoria County and the City of Victoria for development of the project and to proceed in the most feasible and economical manner with the work as planned.

83521
MGG

In WICHITA COUNTY on U.S. HIGHWAY 287 in Wichita Falls at Eighth Street, the Engineer-Director is directed to proceed in the most feasible and economical manner with advance acquisition of required right of way described as Lot 4A on a replat of a portion lot of Block 246, Original Townsite to the City of Wichita Falls, Texas, at an estimated State cost of \$54,000.00.

83522

IT IS ORDERED that the 1985-1986 TEXAS FARM TO MARKET ROAD PROGRAM be formed in the usual manner with apportionment of funds as follows:

<u>District</u>	<u>Headquarters Location</u>	<u>Amount</u>
1	Paris	\$ 1,492,000
2	Fort Worth	1,692,000
3	Wichita Falls	936,000
4	Amarillo	1,400,000
5	Lubbock	2,728,000
6	Odessa	916,000
7	San Angelo	836,000
8	Abilene	1,256,000
9	Waco	1,680,000
10	Tyler	2,156,000
11	Lufkin	1,364,000
12	Houston	6,500,000
13	Yoakum	1,776,000
14	Austin	2,160,000
15	San Antonio	2,316,000
16	Corpus Christi	1,200,000
17	Bryan	1,216,000
18	Dallas	1,516,000
19	Atlanta	1,492,000
20	Beaumont	1,576,000
21	Pharr	1,612,000
23	Brownwood	972,000
24	El Paso	452,000
25	Childress	756,000
		<u>\$ 40,000,000</u>

(Continued on next page)

August 29, 1985

83522 Continued --

It is understood that for this program, the following will apply:

1. Any new segment proposed for addition to the Farm to Market Road System will be an extension of a previously designated Farm to Market Road or will eliminate a gap in the existing Farm to Market Road System.
2. For proposed new additions to the Farm to Market Road System, priority will be given to routes having higher traffic counts.
3. Proposed projects may include new construction, reconstruction and major rehabilitation, with emphasis to be placed on highest priority as determined by the District Engineer.

83523

IT IS ORDERED that the attached program entitled THE 1986 STATE HIGHWAY SAFETY AND BETTERMENT AND FARM TO MARKET ROAD IMPROVEMENT PROGRAM be and is hereby approved and the Engineer-Director is directed to proceed in the most feasible and economical manner with the work contained therein.

It is understood that funds identified as an allotment for seal coat and minor overlay projects will be assigned to high priority projects as selected by the District Engineer.

83524

IT IS ORDERED that the attached program of work comprising THE 1986 FEDERAL RAILROAD SIGNAL PROGRAM be and is hereby approved for the installation of Grade Crossing Protective Devices for the individual projects listed therein.

The Engineer-Director is directed to proceed in the most feasible and economical manner with such work, financing the cost of the individual projects with Federal-Aid Rail-Highway Crossings funds.

83525
Claims

WHEREAS, in DALLAS COUNTY on INTERSTATE HIGHWAY 30, APAC-Texas, Inc. was awarded a contract in the amount of \$3,046,643.94 on Project IR 30-5(55)048 for construction; and

WHEREAS, upon completion of the project, the Contractor filed a claim for additional compensation of \$102,419.20, such amount allegedly incurred due to additional costs associated with changes to Plan Sheet No. 17; and

WHEREAS, after careful review of the Contractor's Claim and reports furnished by the District Engineer and the Construction Engineer and a meeting with the Contractor, it is the recommendation of the Contractors Review Committee that a portion of the claim in the amount of \$94,341.44 be paid to the Contractor and that the remaining portion of the claim be denied; and

WHEREAS, the Engineer-Director concurs in this recommendation; and

WHEREAS, the State Highway and Public Transportation Commission concurs in this recommendation;

NOW, THEREFORE, subject to the Contractor's acceptance of \$94,341.44 as full settlement of the claim and the Contractor agreeing to abstain from pursuing further reimbursement, IT IS ORDERED that the Contractor be paid \$94,341.44 and the remaining portion of the claim be denied.

IT IS FURTHER ORDERED that the Finance Division prepare a revised final estimate and take steps to secure a warrant in the amount of \$94,341.44 for the Contractor, APAC-Texas, Inc. The Contractor shall be furnished a copy of this Minute Order.

August 29, 1985

83526
Claims

WHEREAS, in DALLAS and KAUFMAN COUNTIES, on INTERSTATE HIGHWAY 20, the joint venture of APAC-Texas, Inc. and Adams Brothers, Inc. was awarded a contract in the amount of \$3,543,991.53 on Project I20-5(99)486 for construction; and

WHEREAS, upon completion of the project, the Contractor filed a claim for additional compensation of \$18,458.73, such amount allegedly incurred due to freight costs for moving equipment; and

WHEREAS, after careful review of the Contractor's Claim and reports furnished by the District Engineer and the Construction Engineer and a meeting with the Contractor, it is the recommendation of the Contractors Review Committee that a portion of the claim in the amount of \$13,926.11 be paid to the Contractor and that the remaining portion of the claim be denied; and

WHEREAS, the Engineer-Director concurs in this recommendation; and

WHEREAS, the State Highway and Public Transportation Commission concurs in this recommendation;


NOW, THEREFORE, subject to the Contractor's acceptance of \$13,926.11 as full settlement of the claim and the Contractor agreeing to abstain from pursuing further reimbursement, IT IS ORDERED that the Contractor be paid \$13,926.11 and the remaining portion of the claim be denied.

IT IS FURTHER ORDERED that the Finance Division prepare a revised final estimate and take steps to secure a warrant in the amount of \$13,926.11 for the Contractor, APAC-Texas, Inc. and Adams Brothers, Inc. The Contractor shall be furnished a copy of this Minute Order.

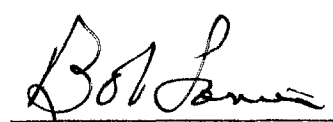
The Regular Meeting of the State Highway and Public Transportation Commission was closed at 6:00 P.M., August 29, 1985.

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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 orders of the State Highway and Public Transportation Commission at its Eight Hundred and Ninety-Eighth Meeting, a Regular Meeting, held in Austin, Texas, on August 29, 1985.


Chief Minute Clerk
State Department of Highways
and Public Transportation

APPROVED:


Robert C. Lanier
Chairman