

**MEMORANDUM OF UNDERSTANDING
FOR THE SB 1420 COMMITTEE
FOR THE DEVELOPMENT OF THE IH 35E MANAGED LANE PROJECT**

WHEREAS, Interstate Highway 35E is of Statewide, National, and International importance for the movement of people and commerce now and for the long term future;

WHEREAS, IH 35E serves as “Main Street, DFW;”

WHEREAS, the IH 35E managed lane project has been designated as a high priority project by the Regional Transportation Council (RTC);

WHEREAS, local partners, including Denton County, Dallas County, cities along the corridor, the RTC, the Texas Department of Transportation (TxDOT), the North Texas Tollway Authority (NTTA), and Denton County Transportation Authority (DCTA), Congressional representatives and state legislators have been working for years to advance this critical project;

WHEREAS, local partners have developed innovative funding methods to advance the project such as the partnership between Denton and Dallas counties where Denton County Regional Toll Revenue (RTR) funds were loaned to complete the IH 635 project and will be repaid by Dallas County RTR funds;

WHEREAS, the region prioritized funding for the DCTA A-train to be up and running before the IH 35E managed lane project is constructed to mitigate traffic;

WHEREAS, the NTTA has waived primacy for the IH 35E managed lane project;

WHEREAS, the Texas Legislature has authorized the development of the IH 35E project as one of the few public-private partnerships that can proceed; and,

WHEREAS, Senate Bill 1420 (82nd Texas Legislature, Regular Session) requires for certain TxDOT toll projects, including the IH 35E managed lane project, that a committee comprised of representatives from local and regional stakeholders and TxDOT be formed to make determinations concerning the distribution of the project’s financial risk, the method of financing for the project, and the project’s tolling structure and methodology that will determine the project’s delivery method.

NOW, THEREFORE, BE IT HEREBY AGREED THAT:

Section 1. The SB 1420 Committee for the IH 35E managed lane project (SB 1420 Committee) will not issue a report containing determinations that are inconsistent with the findings of Mobility 2035 and the National Environmental Policy Act (NEPA) documents related to IH 35E.

Section 2. The SB 1420 Committee will work with Denton County to advance the IH 35E project, recognizing the county’s commitment of local funds for the project in exchange for CMAQ funds.

Section 3. The SB 1420 Committee will assist local stakeholders in initiating conversations with the Texas Transportation Commission to allocate state funds to the project.

Section 4. The SB 1420 Committee commits to meeting TxDOT's schedule to make the required determinations before the end of 2011, which is when the Request for Qualifications (RFQ) for the IH 35E managed lane project is scheduled to be issued by TxDOT.

Section 5. The SB 1420 Committee will request that TxDOT complete the procurement process for the IH 35E managed lane project prior to the next regular session of the Texas Legislature.

SIGNED,

Bill Hale, TxDOT

Michael Morris, NCTCOG
Committee Chair

John Polster, Denton County

Alberta Blair, Dallas County

Elizabeth Mow, NTTA

Matthew Marchant, City of Carrollton

Rudy Durham, City of Lewisville