

# **WEBB COUNTY-CITY OF LAREDO REGIONAL MOBILITY AUTHORITY**

## **REQUEST FOR QUALIFICATIONS TO PROVIDE GENERAL ENGINEERING CONSULTANT SERVICES**

RFQ Issue Date: June 15, 2015

Responses Due: 3:00 p.m. C.S.T. July 24, 2015  
Webb County-City of Laredo Regional Mobility Authority  
c/o Juan Cruz & Associates, LLC  
216 W. Village Blvd., Suite 202  
Attn: Juan Cruz

**WEBB COUNTY-CITY OF LAREDO  
REGIONAL MOBILITY AUTHORITY  
REQUEST FOR QUALIFICATIONS  
TO PROVIDE  
GENERAL CONSULTING CIVIL ENGINEERING SERVICES**

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**WEBB COUNTY-CITY OF LAREDO  
REGIONAL MOBILITY AUTHORITY  
REQUEST FOR QUALIFICATIONS TO PROVIDE  
GENERAL ENGINEERING CONSULTANT SERVICES**

**I. INTRODUCTION**

The Webb County-City of Laredo Regional Mobility Authority (the “WC-CL RMA”), a regional mobility authority and political subdivision of the State of Texas governed by the provisions of Texas Transportation Code, Chapter 370 (the “RMA Act”), is requesting information from qualified engineering firms interested in providing general engineering consultant services to the WC-CL RMA.

Certain information is necessary to evaluate each interested firm's ability to provide the desired services. As a result, interested firms are asked to submit a response setting forth their qualifications to perform the anticipated work, and may, at the WC-CL RMA’s sole option, be asked to make an oral presentation. The anticipated work is described herein and shall generally be referred to as the “services”. All firms providing a response to this RFQ are hereinafter collectively referred to as the “Proposers” or, individually, as a “Proposer.”

**II. DESCRIPTION OF THE WC-CL RMA**

The WC-CL RMA is an independent governmental agency created by the Texas Transportation Commission pursuant to the joint request of Webb County and the City of Laredo. Its formation was approved in February 27, 2014. The WC-CL RMA is governed by a nine member Board of Directors, with four members of the board being appointed by the Webb County Commissioners Court, four members of the board being appointed by the Laredo City Council, and the presiding officer being appointed by the Governor. The WC-CL RMA’s purpose is to provide the City of Laredo and Webb County with opportunities to accelerate needed transportation projects which will improve mobility, enhance safety, support economic development, and improve the quality of life for residents of the region, under the direction of a local board making local choices about local mobility priorities.

The WC-CL RMA intends to select one or more General Engineering Consultant(s) (“GEC”) which will operate as an extension of, and in complete coordination with, the WC-CL RMA’s Board, staff, and consultants with respect to all current or future projects studied, constructed or operated by the WC-CL RMA, including, without limitation, those identified on Exhibit A attached hereto. To that end, the GEC shall be expected to represent and pursue the interests of the WC-CL RMA throughout all aspects and phases of the WC-CL RMA's activities and shall, when and as requested by the WC-CL RMA, fully support the WC-CL RMA in its dealings with contractors and suppliers, the Texas Department of Transportation (“TxDOT”), engineers and other consultants, the WC-CL RMA's legal counsel and accountants, traffic and revenue advisors, rating agencies and underwriters, governmental entities and the public, all in accordance with the highest

professional standards. As more specifically described in this RFQ, the GEC shall be expected to commit the personnel and resources required to respond promptly and fully to the responsibilities and tasks assigned by the WC-CL RMA throughout the term of the GEC's performance of the services.

### **III. SCOPE OF CONSULTANT SERVICES**

Without limiting the provisions of Article II above, the required services will encompass the numerous facets of feasibility evaluation, conceptual design, planning, financing, management, coordination, and liaison necessary to produce complete conceptual plans, typical specifications, and estimate documents required for transportation projects as defined in the RMA Act. The WC-CL RMA also anticipates that the GEC may be asked to prepare detailed designs and construction plans as well as oversee other consultant firms' design activities. The GEC should also be prepared, either in-house or through a sub-provider, to manage and perform construction oversight, including inspection, testing, record keeping, and change orders, for work performed by construction contractors. Further, the GEC may be required to prepare project-wide typical standard designs, pavement designs, standard typical sections, and standard retaining wall design options as may be required on some or all future transportation projects. The GEC may also be asked to provide website design assistance and support for marketing and public education and outreach efforts. In addition, the GEC will be responsible for coordinating the operation and maintenance activities for future WC-CL projects that are opened.

### **IV. LENGTH OF CONSULTANT SERVICES AND ASSIGNMENT OF WORK**

The resulting agreements with one or more GECs (the "Agreement") shall provide for a five (5) year term, subject to the WC-CL RMA's periodic review, approval and satisfaction with the GEC's performance, and will be subject to termination by the WC-CL RMA at any time upon a stipulated notice period, or extended upon agreement of both parties.

During the contract term, the WC-CL RMA may request services on an as-needed basis through the issuance of work authorizations.

### **V. CONTRACT PROVISIONS**

The following information is furnished to the Proposers for consideration during the preparation of their response to this Request for Qualifications ("RFQ"). This information is representative of certain provisions which the WC-CL RMA expects to incorporate into the Agreement for GEC services:

- 5.1 **PROFESSIONAL LIABILITY:** The firm selected to perform the desired services must have professional liability insurance coverage of not less than \$5,000,000. If the present coverage is insufficient, the selected firm must obtain additional coverage prior to the initiation of the work. The coverage must extend a minimum of three (3) years beyond the completion of the services.

- 5.2 SUBCONSULTANT SERVICES: Services assigned to subconsultants must be approved in advance by the WC-CL RMA. The subconsultants must be qualified to perform all work assigned to them. Responsibility for sublet, assigned, or transferred work shall remain with the GEC.
- 5.3 INSPECTION OF BOOKS AND RECORDS: The WC-CL RMA, or any duly authorized representative of the WC-CL RMA, may at all reasonable times inspect and examine the books and records of the GEC for the purpose of: (a) checking the salary costs and other expenses described and/or contemplated in the Agreement; or (b) otherwise confirming the GEC's compliance with the terms of the Agreement. The GEC shall maintain said books and records and other evidence pertaining to costs, and shall make such materials available at its office, during the term of the Agreement and for a period of three (3) years after the date of final payment thereunder.
- 5.4 OWNERSHIP OF PLANS: Notwithstanding any provision in the Agreement or in common law or statute to the contrary, all of the plans, tracings, computer records, discs, and tapes, proposals, sketches, diagrams, charts, calculations, correspondence, memoranda, logs, survey notes, test procedures, test data, recommendations, reports, and other data and materials, and any part thereof, compiled or to be compiled by or on behalf of the GEC, together with all materials and data furnished to it by the WC-CL RMA, shall at all times be and remain the property of the WC-CL RMA and shall not be subject to any restriction or limitation on their further use by or on behalf of the WC-CL RMA.
- 5.5 TxDOT FINANCIAL ASSISTANCE: The WC-CL RMA anticipates that it will receive financial assistance for some or all of its projects from TxDOT. To the extent that TxDOT makes such assistance available on a cost reimbursement basis, the GEC will be obligated to assure that all work performed (and costs incurred) on a project receiving financial assistance are reimbursable and that proper documentation of the costs associated with the work is made available to TxDOT on a timely basis. Payment by the WC-CL RMA to the GEC for work which is subject to reimbursement by TxDOT will be contingent on the authority receiving the funds from TxDOT.

## **VI. CONTENT OF THE RESPONSE**

Each Proposer should submit a detailed response to this RFQ, including sufficient information to enable the WC-CL RMA to fully evaluate the capabilities of the Proposer and its approach to providing the specified services. Responses are subject to the page limit set forth in Section 6.6.1. Responses should specifically address the issues raised, and provide the information requested, under Sections 6.1 through 6.4 below and should utilize and follow the order of the headings and subheadings employed under those Sections.

## 6.1 EXPERIENCE OF FIRM

### 6.1.1 History and Description of Firm

Each Proposer should provide a brief history and general description of its firm.

### 6.1.2 Overall Project Experience

The Proposer should provide a representative listing of relevant projects, with particular emphases on GEC projects, accomplished within the past five (5) years, including the following information:

1. Project name.
2. Project location.
3. Project manager(s) and key staff.
4. A brief description of the project and the work performed by Proposer, including the project's size and complexity.
5. Name, address, telephone number, and e-mail address of client contact to serve as reference.

By submitting a response and the foregoing information, the Proposer unconditionally authorizes the WC-CL RMA to contact and confer with the indicated client contact(s) and other current or past employees of that client.

### 6.1.3 Experience Relevant to Transportation Projects

The Proposer should specifically identify and describe the firm's experience related to transportation projects, with a particular emphasis on tolled and non-tolled highway projects. Specifically, each Proposer should provide a description of its experience for the five (5) years preceding Calendar Year 2015 in performing typical GEC services on relevant projects, and briefly identify those projects. The same information should also be provided (but separately stated) for detailed design work and oversight services provided for relevant projects. Project information previously provided in response to Section 6.1.2 should be summarized or incorporated by reference, rather than repeated in whole.

### 6.1.4 Texas Experience

The Proposer should include information relative to the capabilities and resources of its Texas offices, and a listing of its Texas office resident

personnel by discipline. The Proposer should summarize any relevant experience working with transportation agencies and other governmental bodies operating in the South Texas region and/or with which the WC-CL RMA would regularly work or interact, including TxDOT, the Federal Highway Administration (“FHWA”), the Environmental Protection Agency, the United States Corps of Engineers, Webb County, or the City of Laredo.

#### 6.1.5 Experience Providing Trust Agreement Services

The Proposer should summarize its experience providing certifications, issuing reports, providing evaluations and otherwise performing services similar to those required for “Consulting Engineers” under anticipated Trust Agreements.

#### 6.1.6 Management and Coordination Experience

The Proposer should describe its experience providing management and coordination services similar to the services expected of the GEC. This description should specifically address the Proposer’s record in delivering completed projects on time and on budget. Once again, project information previously furnished in response to Section 6.1.2 should be summarized or incorporated by reference, rather than repeated in whole.

#### 6.1.7 Disputes

The Proposer should provide the following:

1. A list and a brief description of all instances since January 1, 2010, involving projects in which the proposer was (i) determined, pursuant to a final determination in a court of law, arbitration proceeding or other dispute resolution proceeding, to be liable for a material breach of contract or (ii) terminated for cause. For each instance, identify an owner's representative with a current phone and fax number.
2. A list and a brief description (including the resolution) of each arbitration, litigation, dispute review board and other dispute resolution proceeding occurring since January 1, 2010, involving the proposer and involving an amount in excess of \$200,000 related to performance of general engineering services for transportation projects.
3. A description of any project involving the Proposer which resulted in assessment of liquidated damages or stipulated damages in excess of \$25,000 since January 1, 2010. Describe the causes of the delays and the amounts assessed. For each instance, identify an owner's representative with a current phone and fax number (and e-mail if

available). The WC-CL RMA requests that proposers report liquidated damages or stipulated damages assessments at any time during a project, not just final completion penalties. However, if such damages were assessed but not paid through settlement or negotiations with the project owner, they need not be included. Note that unresolved instances of assessed liquidated or stipulated damages (i.e., currently subject to negotiations or challenge, etc.) should be included.

## 6.2. APPROACH TO THE SERVICES

### 6.2.1 Proposed Approach - Quality, Schedule and Budget

The Proposer should present the proposed approach for providing the desired services in a manner which maximizes efficiencies in the delivery of projects and makes the most effective use of available funds. The efficient use of manpower and materials will be considered. The Proposer should demonstrate the firm's quality control program, and the policies and procedures followed to assure a complete, accurate, and quality product. The Proposer should also describe any innovative approaches to assisting the WC-CL RMA. As the GEC will be expected to operate independently from the WC-CL RMA and without extensive oversight and direction, methods to accomplish that end should be discussed. Also, additional innovative approaches for providing the services should be addressed.

### 6.2.2 Coordination

The Proposer should discuss in detail the manner in which proper coordination and information exchange will be guaranteed among the WC-CL RMA, other governmental bodies, sub-consultants, other consultants, contractors and, if the work is proposed to be done in more than one location, its own offices.

### 6.2.3 Schedule Development and Utilization

The Proposer should submit a suggested sample project schedule showing major activities/events and the proposed time-frames required to develop a typical tolled project from concept to construction letting. The GEC's proposed use of the schedule should be discussed. The Proposer should demonstrate that it can perform critical path modeling using a recognized industry software package or software authorized or supported by the WC-CL RMA. The Proposer should also demonstrate ability to monitor and manage other consultants' and contractors' conformance to their schedules.



## 6.3 STAFFING

### 6.3.1. Project Team Matrix and Staffing Plan

The Proposer should submit a project team matrix which clearly illustrates the key elements of the organizational structure proposed to accomplish the management, technical, and administrative services required. The Proposer should identify the senior project manager with respect to the services, as more particularly described under Section 6.3.2 below. Project management and key technical personnel within each discipline should be identified and addressed, as more particularly described under Section 6.3.3 below.

The Proposer should identify by role specific individuals and backups that will be used to staff the project. For each identified individual provide current office location, current assignment, and date and level of expected availability and identify any outstanding proposals where the individual is included and his/her proposed role and level of commitment. Identify if the individual is a full time employee, is on retainer, or is a part time employee. A one-page resume for each individual should be included in the Appendix.

Initially, the GEC will be required to establish a field office within the service area of the WC-CL RMA with managers and core staff to provide the following services, as required by project-specific needs:

1. Contract Support
2. Administrative Assistance
3. Advanced Project Development
4. PS&E Management
5. Management and Coordination of Maintenance Services
6. Operations

### 6.3.2 Senior Project Manager

The Proposer should identify and provide relevant information concerning the senior project manager it intends to assign to the services for the duration of the Agreement. The Agreement will restrict the ability of the GEC to substitute individuals for the senior project manager without the WC-CL RMA's express approval. The Proposer should discuss what steps it intends to take in order to enhance continuity in this and other key staff positions. The senior project manager must be a Texas licensed

professional engineer or hold a similar license in another state and be capable of obtaining a license in Texas within six (6) months of the date a written response to the RFQ is submitted.

#### 6.3.3 Key Staff

The Proposer should identify and provide relevant information concerning the remainder of the Proposer's intended project management and key technical personnel.

#### 6.3.4 Sub-consultants

The Proposer should address the use of sub-consultant services in meeting its obligations under the Agreement. Where sub-consultant services are proposed, the information specified in the first paragraph of Section 6.3.1 should also be furnished for the subconsultant firm(s).

Proposers shall not include any Sub-consultants to furnish Traffic and Revenue Engineering Services.

#### 6.3.5 Historically Underutilized Business ("HUB") and Disadvantaged Business Enterprise ("DBE") Participation

It is the intent of the WC-CL RMA to encourage the participation of HUBs and DBEs in all facets of the WC-CL RMA's activities. To that end, the Proposer should provide the following:

1. A statement indicating whether the firm and its proposed subcontractors are a qualified HUB or DBE. If it is, provide supporting documentation including letters of certification.
2. A description of the efforts made or the efforts that will be made to encourage HUB and/or DBE participation if the firm is selected.
3. A summary of the firms' affirmative action program and current firm profile.

#### 6.4 CONFLICTS OF INTEREST

1. Disclose any prior or existing relationships between the Proposer and the WC-CL RMA, any member of the WC-CL RMA Board of Directors, or any entity that provides services to the WC-CL RMA. For a list of WC-CL RMA Board members and individuals and entities providing services to the WC-CL RMA, please refer to the WC-CL RMA Designation of Key Personnel at [www.webbrma.com](http://www.webbrma.com).

2. Disclose any prior or existing relationship with TxDOT, Webb County, the City of Laredo, or any other governmental entity operating within any of the WC-CL RMA's jurisdiction.

## 6.5 OTHER APPROPRIATE INFORMATION

Other information demonstrating the ability and experience of the Proposer in providing the specified services may be included in the response. The Proposer is cautioned, however, to carefully consider the relevance of said additional data, particularly in light of the 30-page limit described in Section 6.6.1, so as to not omit or unduly abbreviate information specifically requested under Sections 6.1 through 6.3.

## 6.6 SUBMITTAL

### 6.6.1 Format

The response should be submitted in bound volumes on standard 8½" x 11" paper. Charts and exhibits may be of a larger size, but must be folded to the standard size. All information must be assembled and indexed in the order indicated in Sections 6.1 through 6.4, together with an Appendix containing the items described below. The response should be limited to thirty (30) pages, single-sided and inclusive of typed text, graphics, charts and photographs (except when found on section dividers and not referenced in the text). Minimum type or font size for text shall be 12-point. The minimum for non-text portions, such as graphics and charts, shall be 10-point. Foldout pages count as one page but the response shall be limited to two foldout pages.

The page count shall not include:

- Cover Letter (one page).
- Front and back cover and section dividers (bindings and covers will be at the discretion of the Proposer).
- Disputes information described in Section 6.1.7 of this RFQ, which shall be part of the Appendix.
- The generic schedule (not more than 1 page in length) as required under Section 6.2.3 of this RFQ, which shall be part of the Appendix.
- Key staff resumes (not more than 1 page in length per person) described in Section 6.3.1 through 6.3.3 of this RFQ, which shall be part of the Appendix.

- Company brochure (not more than one item), which shall be part of the Appendix.

#### 6.6.2 Due Date

Seven (7) copies of the written response and one (1) CD/DVD containing the full response in MS Word, Excel, or PDF format must be received by the WC-CL RMA before 3:00 p.m. C.S.T., July 24, 2015. One copy of the response shall be marked original and bear all original signatures. The other six (6) may be copies. The response package shall be submitted to:

Webb County-City of Laredo Regional Mobility Authority  
c/o Juan Cruz & Associates, LLC  
216 W. Village Blvd., Suite 202  
Attn: Juan Cruz

### **VII. QUESTIONS CONCERNING THE RFQ**

All questions (including all technical, contract or administrative questions) regarding the services required or the procurement process should be submitted in writing or via email, and addressed to:

Webb County-City of Laredo Regional Mobility Authority  
c/o Locke Lord LLP  
600 Congress Avenue, Suite 2200  
Austin, Texas 78701  
Attn: Brian Cassidy  
Email: bcassidy@lockelord.com

The deadline for receipt of questions is 5:00 p.m. (CST), on July 15, 2015. Questions (edited as deemed appropriate by WC-CL RMA) and answers may be made available to all interested parties via website or written distribution. Proposers are responsible for monitoring the WC-CL RMA website for periodic updates.

### **VIII. SELECTION OF GEC**

The WC-CL RMA will make its selection of its GEC based on demonstrated competence, experience, knowledge, and qualifications as reflected in the criteria set forth below. At the time a firm is selected to serve as GEC, the WC-CL RMA anticipates negotiating the services to be provided and the fees and expenses related thereto. The WC-CL RMA may decline to engage a firm if such negotiations are not successful.

Proposers shall be evaluated by a selection committee according to the following criteria:

Experience of Firm	40%
Approach to the Services	30%
Staffing (including HUB/DBE participation)	<u>30%</u>
	100%

The WC-CL RMA has not committed itself to select a GEC, and neither the suggested services nor the terms of the Agreement should be construed to require that a GEC be engaged for any or all of the services described in this RFQ. The WC-CL RMA may, but shall not be required to, solicit oral presentations from one or more of the responding firms in accordance with Article IX below prior to selecting a GEC. A selection committee shall make a recommendation to the Board of Directors concerning the best-qualified Proposer(s) to serve as the WC-CL RMA's GEC(s). Final selection of the GEC(s), if any, shall be made by the Board of Directors.

## **IX. ORAL PRESENTATIONS**

Some or all of the firms being considered for the services may, at the sole discretion of the WC-CL RMA, be asked to appear for oral presentations. The oral presentations, if required, shall be conducted so as to elicit information to enable the WC-CL RMA to evaluate the capability of the Proposers to provide the desired services. If the WC-CL RMA notifies a Proposer that an oral presentation is required, the WC-CL RMA will inform that Proposer of the schedule, order and procedure for the presentation, including its content, time limits, identity of the presenters, and use of handouts and visual aids. The WC-CL RMA may tape record and/or videotape any presentations. The Board of Directors may consider the oral presentations, if any, when selecting the best-qualified firm to provide the GEC services.

Notwithstanding the foregoing, the WC-CL RMA emphasizes that it may elect to forego oral presentations for all or some Proposers. Consequently, all responses should be comprehensive and clear on their face, and no Proposer should rely upon the opportunity to present additional or clarifying information at a later time.

## **X. NEGOTIATIONS**

Upon conclusion of the selection process, the WC-CL RMA shall attempt to negotiate the Agreement with the selected Proposer(s) of the required services at a fair and reasonable price. If a satisfactory contract cannot be negotiated with a selected Proposer of the required services, the WC-CL RMA shall formally end negotiations with that Proposer, select the next best-qualified Proposer, and attempt to negotiate a contract with that Proposer at a fair and reasonable price. The WC-CL RMA shall continue the foregoing process until the Agreement is executed, provided that nothing herein will preclude the WC-CL RMA from terminating this procurement at any time.

## **XI. MISCELLANEOUS**

- 11.1 **PUBLIC INFORMATION ACT**: All responses to this RFQ shall be deemed to be the property of the WC-CL RMA. Responses may be subject to public disclosure under the Texas Public Information Act (“PIA”). Any material believed by the responder to be proprietary, confidential, or otherwise exempt from disclosure under the PIA should be clearly marked as such. If the WC-CL RMA receives a request for public disclosure of all or any portion of a response, the WC-CL RMA will use reasonable efforts to notify the responder of the request and give the responder an opportunity to assert, in writing to the Office of the Attorney General, a claimed exception under the Act or other applicable law within the time period allowed under the Act.
- 11.2 **COST OF RESPONSES**: All costs directly or indirectly related to preparation of a response to this RFQ and in any oral presentation required to supplement and/or clarify the RFQ shall be the sole responsibility of, and shall be borne by, the Proposers.
- 11.3 **PROPOSER'S ACKNOWLEDGEMENT**: By submitting a response to this RFQ, each Proposer unequivocally acknowledges that the Proposer has read and fully understands this RFQ, and that the Proposer has had the opportunity to ask questions and, if questions were asked, has received satisfactory answers from the WC-CL RMA regarding any provision of this RFQ.

All written and electronic correspondence, printed material, exhibits, appendices, photographs, and reports submitted in response to all sections of this RFQ process are, upon their receipt by the WC-CL RMA the property of the WC-CL RMA and may not be returned.

## **XII. ANTI-LOBBYING PROHIBITION**

During the pendency of this procurement, prospective respondents may not contact the WC-CL RMA Board of Directors nor, except as provided herein, any WC-CL RMA staff, consultants, or evaluation committee members (as posted on the WC-CL RMA’s website) concerning this procurement. All contact with the WC-CL RMA is to be through the WC-CL RMA contact designated in Article VII above. Any firm violating the anti-lobbying prohibition may be disqualified from consideration in this procurement.

## **Exhibit A**

### **Potential WC-CL Projects**

- (1) Loop 20 south of International Boulevard to US 59
- (2) Vallecillo Road, from Mines Road to IH 35
- (3) Loop 20 east and westbound mainlanes over IH 35
- (4) Southern extension of Loop 20 to US 83
- (5) Four (4) interchanges on Loop 20 at major arterial street intersections as described in the Laredo Long Range Thoroughfare Plan
- (6) Upgrade of US 59 to IH69 design standards from the Laredo City Limits to the Duval County line
- (7) Development and construction of Green Ranch Parkway from FM 1472 to IH 35
- (8) Laredo Outer Loop, from IH 35 (near the Camino Columbia Toll Road) to US 83 south of Laredo
- (9) other transportation projects as identified by the WC-CL RMA