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NTTA agrees to \$900,000 toll road fix, will seek repayment from contractor

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Published: 20 August 2014 11:17 PM

Updated: 20 August 2014 11:32 PM

The North Texas Tollway Authority agreed Wednesday to spend \$900,000 to fix steel bridge supports that staff members said a contractor designed poorly.

The steel beams on the new Chisholm Trail Parkway were not built strong enough, according to officials. The problem was discovered when the beams arrived at the construction site.

Some affected parts of the toll road in Tarrant and Johnson counties were fixed before they were opened. Others have not opened.

The NTTA plans to recover the additional costs from its contractors.

Board members agreed to the expenditures without discussion. But at a committee meeting earlier this month, they peppered staff members with questions about why the mistake wasn't caught during the design process.

Assistant executive director of infrastructure Elizabeth Mow told board members that the agency spot-checks about 10 percent of a project's plans. She said the NTTA relies on contractors' engineers to certify the safety of their own designs.

Board members at that meeting said they wanted to review how the agency oversees its contractors' project designs.

The approval Wednesday for the additional \$900,000 came in two votes. Those measures collectively included other expenses and had a total price tag of more than \$1.8 million.

NTTA Chairman Kenneth Barr abstained from voting on about \$1.1 million of those expenses. He said he had a business relationship with one of the subcontractors involved in that second vote. He did not name the contractor.

The board also unanimously approved a policy change that will make it easier for the agency to cover legal expenses for board members and staffers whose work-related behavior is the subject of a criminal probe or a lawsuit. The move means the agency will automatically cover legal fees if state law allows it. Previously, the board could choose whether to cover particular individuals' legal fees if the law permits it.

The agency came under media scrutiny in 2012 after it paid for a private attorney for a board member. David Denison, who is no longer on the board, racked up more than \$211,000 in legal fees during an FBI investigation into possible conflicts of interest.

NTTA officials have since said they believe the investigation ended. No charges have been filed. Denison's last legal bill is almost a year old.

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