



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #7 SUMMARY

Approve a change order with Central Texas Mobility Constructors, LLC for eastern terminus geometric revisions.

Strategic Plan Relevance: Regional Mobility
Department: Engineering
Associated Costs: \$1,180,548.78
Funding Source: Construction Fund
Board Action Required: Yes

Description of Matter: This change order compensates CTMC for design and construction revisions associated with the eastern terminus of the Manor Expressway Project. Specifically, these changes include a geometric revision to the TR-20 ramp to provide safer ingress and egress from Manor New Tech High School, reconstructed driveways for Manor New Tech High School, and a revised eastern terminus to provide for a proper tie-in to TxDOT's impending roadway projects in Manor.

Reference documentation: Draft Resolution
Change Order #17

Contact for further information: Wesley M. Burford, P.E., Director of Engineering

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 14-___

**APPROVING A CHANGE ORDER WITH CENTRAL TEXAS MOBILITY
CONSTRUCTORS, LLC, TO FOR EASTERN TERMINUS GEOMETRIC REVISIONS.**

WHEREAS, by Resolution No. 11-019, dated March 30, 2011, the Board of Directors approved and authorized the Executive Director to execute a design-build comprehensive development agreement with Central Texas Mobility Constructors LLC (“CTMC”) to develop the Manor Expressway Phase II Project (the “Project”), and the design/build comprehensive development agreement contract for construction of the Project was executed and became effective on June 15, 2011; and

WHEREAS, CTMC made construction revisions to the eastern terminus of the Project including revisions to the TR-20 ramp to provide safer ingress and egress from Manor New Tech High School, reconstructing driveways for Manor New Tech High School, and constructing a revised eastern terminus to provide for a proper tie-in to the Texas Department of Transportation’s impending roadway project in Manor; and

WHEREAS, the Executive Director has negotiated and recommends approval of the proposed change order for the construction revisions to the eastern terminus of the Project attached as Exhibit 1, and of the exhibits to that exhibit that are not attached to this resolution but are on file with the Mobility Authority and referenced in Exhibit 1.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the proposed change order with CTMC in the additional amount not to exceed \$1,180,548.78, in the form or substantially the same form attached as Exhibit 1, to include all exhibits referenced therein; and

BE IT FURTHER RESOLVED, that the change order with CTMC may be finalized and executed by the Executive Director on behalf of the Mobility Authority in the form or substantially the same form attached as Exhibit 1, to include all exhibits referenced therein.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 19th day of November, 2014.

Submitted and reviewed by:

Approved:

Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority

Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number: 14-___
Date Passed: 11/19/14

EXHIBIT 1

PROPOSED CHANGE ORDER WITH

CENTRAL TEXAS MOBILITY CONSTRUCTORS

[on the following six pages, but excluding Exhibits referenced therein]



Central Texas Regional
Mobility Authority

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

CHANGE ORDER NUMBER: 17

Project Name:	<u>Manor Expressway Phase II Project</u>
Contract No:	<u>CDA</u>
CCSJ:	<u>0114-02-053</u>
Highway:	<u>290E</u>
County:	<u>Travis</u>
District:	<u>Austin</u>
FAP Number:	<u>NH1101 (012)</u>

1. CONTRACTOR: Central Texas Mobility Constructors, LLC

2. Change Order Work Limits: Sta. 1735+00 to Sta. 1785+00
290E 290E

3. Type of Change(on federal-aid non-exempt projects): Major (Major/Minor)

4. Reasons: 4B (In order of importance - Primary first)

5. Describe the work being revised:

This change order includes compensation for the Developer to revise the geometry of Ramp TR-20 to facilitate safer ingress and egress points for the Manor New Tech High School. Additionally, the eastbound lanes of the Project at the eastern terminus of the Project were revised to provide a proper geometric tie to an impending TxDOT project in Manor.

6. Work to be performed in accordance with Items: 104, 105, 132, 150, 164, 169, 193, 247, 275, 276, 310, 400, 416, 420, 432, 450, 464, 465, 496, 500, 502, 512, 514, 529, 530, 531, 540, 542, 545, 610, 618, 620, 624, 666, 672, 3267, 3268, 3271

7. New or revised plan sheet(s) are attached and numbered: 3RD-034, 3RD-035, 3RD-036, 3RD-037, 3RD-037A, 3RD-060

3RD-060A, 3RD-065, 3DR-025, 3DR-026, 3DR-027, 5IL-050, 5IL-051, 3SGN-016, 3SGN-017, 3SG-018, 3SGN-018A, MNRNTCH DRVWY

8. New general notes to the contract are attached: Yes No

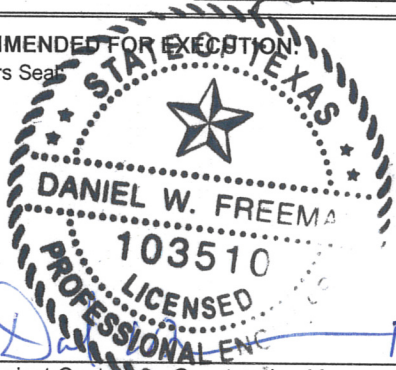
9. New Special Provisions to Item No. and Special Specification Item are attached. N.A.

Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

<p><i>The contractor must sign the Change Order and, by doing so, agrees to waive any and all claims for additional compensation due to any and all other expenses, additional changes for time, overhead and profit, or loss of compensation as a result of this change.</i></p> <p>THE CONTRACTOR Date <u>11/5/2014</u></p> <p>By <u>BH Medlin</u></p> <p>Typed/Printed Name <u>Bratley H. Medlin</u></p> <p>Typed/Printed Title <u>Project Manager</u></p>	<p>The following information must be provided</p> <p>Time Ext. #: <u>N/A</u> Days added on this CO: <u>0</u></p> <p>Amount added by this change order: \$ <u>1,180,548.78</u></p> <p>For TxDOT/CTRMA/FHWA use only:</p> <p>Current Contract Amount \$ <u>215,364,012.09</u></p> <p>Revised Contract Amount To Date \$ <u>216,544,560.87</u></p> <p>Days FHWA non-participating <u>N/A</u></p> <p>CO Portion FHWA non-participating \$ <u>1,180,548.78</u></p>
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RECOMMENDED FOR EXECUTION:

Engineers Seal



(1) Dan Freeman 11/5/14
GEC Project Controls Construction Manager Date

(2) [Signature] 11/5/14
GEC Project Manager Date

(7) APPROVED REQUEST APPROVAL
TxDOT Project Engineer Date

(3) APPROVED REQUEST APPROVAL
CTRMA, Director of Engineering Date

(4) APPROVED REQUEST APPROVAL
CTRMA, General Counsel Date

(5) APPROVED REQUEST APPROVAL
CTRMA, Executive Director Date

(6) APPROVED REQUEST APPROVAL
FHWA Area Engineer (Verbal Approval) Date

(8) APPROVED REQUEST APPROVAL
FHWA Area Engineer Date

Manor Expressway Phase II Project

CHANGE ORDER NUMBER: 17

Estimated Cost

TABLE A: Force Account Work and Materials Placed into Stock

LABOR	QTY	HOURLY	TOTAL	EQUIPMENT	DAYS	HOURLY RATE	TOTAL
2E			\$0.00				

TABLE B: Contract Items

CHANGE ITEM	REASON CODE	DESCRIPTION	UNIT	ORIGINAL + PREVIOUSLY REVISED				NEW				OVERRUN/ UNDERRUN			
				QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST						
EXTRA WORK ITEM	4B	SURVEY	HR												
xxx-xxxx	4B	QUALITY CONTROL	HR												
xxx-xxxx	4B	DESIGN COSTS	LS												
xxx-xxxx	4B	REMOVING CONC (DRIVEWAYS)	SY												
104-2017	4B	REMOVING CONC (CURB)	LF												
104-2021	4B	REMOVING CONC (CURE)	SY												
105-2008	4B	REMOVING STAB BASE AND ASPH PAV (6")	SY												
105-2022	4B	REMOVING STAB BASE AND ASPH PAV (15")	SY												
132-2002	4B	EMPAKMENT (FINAL)(DENS CONT)(TY A)	CY												
150-2002	4B	BLADING	HR												
164-2007	4B	BROADCAST SEED (PERM)(URBAN)(CLAY)	SY												
169-2001	4B	SOIL RETENTION BLANKETS (CL J)(TY A)	SY												
193-2006	4B	VEGETATIVE WATERING	MG												
247-2382	4B	FL BS (CMP IN PLC)(TYA GR5)(6")	SY												
275-2002	4B	CEMENT TREAT (EXIST MATL) (6")	SY												
276-2057	4B	CEM TRT (PLNT MX)(CL L)(TY A)(GR 5)(FIN POS)(6")	SY												
310-2002	4B	PRIME COAT (AEP)	GAL												
400-2007	4B	STRUCT EXCAV (SPECIAL)	CY												
416-2029	4B	DRILL SHAFT (RDWY ILL POLE) (30")	LF												
420-2001	4B	CL A CONC (MISC)	CY												
432-2039	4B	RIPRAP (MOWSTRIP) (4 IN)	CY												
450-2192	4B	RAIL (TY T551) (SPL)	LF												
464-2003	4B	RC PIPE (CL III)(18 IN)	LF												
464-2005	4B	RC PIPE (CL III)(24 IN)	LF												
465-2266	4B	INLET (COMPL)(DROPTTY ADJ)(AUS)	EA												
465-2081	4B	INLET (COMPL)(GRATE)(TY 1)	EA												
465-2175	4B	INLET (COMPL)(DROPTTY I) (2 GRATE)	EA												
465-2262	4B	INLET (COMPL)(DROPTTY I) (3 GRATE)	EA												
465-2082	4B	INLET (COMPL)(GRATE)(TY 1-C)	EA												
496-2007	4B	REMOVE STR (PIPE)	LF												
496-2018	4B	REMOVE STR (CONC)	EA												
500-2001	4B	MOBILIZATION	LS												
502-2002	4B	BARR, SIGNS & TRAF HANDLE (TY J)	EA												
512-2004	4B	PORT CTB (FUR & INST)(SINGL SLP)(TY 1)	LF												
512-2040	4B	PORT CTB (REMOVE)(SINGL SLP)(TY 1)	LF												
514-2004	4B	PERM CONC TRF BARR (SOL SLP)(TY 1)(42")	LF												
529-2002	4B	CONC CURB (TY II)	LF												
530-2010	4B	DRIVEWAYS (CONC)	SY												
531-2010	4B	CURB RAMPS (TY 7)	EA												
540-2001	4B	MTL W-BEAM GD FEN (TIM POST)	EA												
540-2005	4B	TERMINAL ANCHOR SECTION	EA												
540-2016	4B	MTL BM GD FN TRANS(THRIE)(RND TIM POST)	EA												
540-xxxx	4B	MTL BM GD FN TRANS(CT)(RND TIM POST)	EA												
542-2001	4B	REMOVING METAL BEAM GUARD FENCE	LF												
545-2001	4B	CRASH CUSH ATTEN (INSTL)	EA												
610-2097	4B	REMOVE RD ILL ASM (FOUNDATION ONLY)	EA												
618-2018	4B	CONDIT (PVG) (SCHD 40) (2")	LF												
620-2011	4B	ELEC CONDR (NO. 9) BARE	LF												
620-2012	4B	ELEC CONDR (NO. 9) INSULATED	LF												
624-2007	4B	GROUND BOX TY A (122311)	EA												
666-2142	4B	REF PAV MKR TY II (W) 4" (BRK)	LF												
666-2145	4B	REF PAV MKR TY II (W) 4" (SLD)	LF												
666-2153	4B	REF PAV MKR TY II (W) 8" (SLD)	LF												
666-2157	4B	REF PAV MKR TY II (W) 24" (SLD)	LF												
672-2017	4B	REFL PAV MKR TY II-C-R	EA												
3268-2008	4B	D-GR HMA TY-B PG64-22	TON												
3268-2047	4B	D-GR HMA TY-B PG64-22	TON												
3268-xxxx	4B	D-GR HMA TY-B SAC-A PG76-22	TON												
3268-xxxx	4B	D-GR HMA TY-B SAC-A PG76-22 (VIRGIN MIX)	TON												
3271-2002	4B	STONE-MTRX-ASPH SMA-C SAC-A PG76-22	TON												
TOTALS											\$	\$	1,180,548.78	\$	1,180,548.78

CHANGE ORDER REASON(S) CODE CHART


1. Design Error or Omission	1A. Incorrect PS&E 1B. Other
2. Differing Site Conditions (unforeseeable)	2A. Dispute resolution (expense caused by conditions and/or resulting delay) 2B. Unavailable material 2C. New development (conditions changing after PS&E completed) 2D. 2E 2E. Miscellaneous difference in site conditions (unforeseeable)(Item 9) 2F. Site conditions altered by an act of nature 2G. Unadjusted utility (unforeseeable) 2H. Unacquired Right-of-Way (unforeseeable) 2I. Additional safety needs (unforeseeable) 2J. Other
3. CTRMA Convenience	3A. Dispute resolution (not resulting from error in plans or differing site conditions) 3B. Public relations improvement 3C. Implementation of a Value Engineering finding 3D. Achievement of an early project completion 3E. Reduction of future maintenance 3F. Additional work desired by the CTRMA 3G. Compliance requirements of new laws and/or policies 3H. Cost savings opportunity discovered during design/construction 3I. Implementation of improved technology or better process 3J. Price adjustment on finished work (price reduced in exchange for acceptance) 3K. Addition of stock account or material supplied by state provision 3L. Revising safety work/measures desired by the CTRMA 3M. Other
4. Third Party Accommodation	4A. Failure of a third party to meet commitment 4B. Third party requested work 4C. Compliance requirements of new laws and/or policies (impacting third party) 4D. Other
5. Contractor Convenience	5A. Contractor exercises option to change the traffic control plan 5B. Contractor requested change in the sequence and/or method of work 5C. Payment for Partnering workshop 5D. Additional safety work/measures desired by the contractor 5E. Other
6. Untimely ROW/Utilities	6A. Right-of-Way not clear (third party responsibility for ROW) 6B. Right-of-Way not clear (County responsibility for ROW) 6C. Utilities not clear 6D. Other

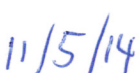
Change Order No. 17 -- Revised Contract Amount to Date Summary

Original Contract: \$ 207,297,859.00

	Amount	Description	Revised Contract Amt to Date:
DRB	\$ 24,346.91	Contractually Allowed DRB Expenditures	\$ 207,322,205.91
LDs	\$ (550,000.00)	Liquidated Damages Associated with Interim Development Work	\$ 206,772,205.91
LRs	\$ (108,520.00)	Lane Rental Fees Assessed	\$ 206,663,685.91
Incentive	\$ 540,000.00	Early Completion Incentive - Substantial Completion	\$ 207,203,685.91
C.O. #1	\$ 1,480,445.71	Revised Mainlane and Frontage Road Pavement Sections	\$ 208,684,131.62
C.O. #2	\$ 9,010.88	Force Majeure Event - Discovery of Cistern	\$ 208,693,142.50
C.O. #3	\$ 41,339.71	Broadcast Seeding and Watering at US 183 interchange	\$ 208,734,482.21
C.O. #4	\$ 187,404.28	Mainlane Column Protection in SH 130 median	\$ 208,921,886.49
C.O. #5	\$ 108,388.96	Incorporation of Revised MBGF Standards	\$ 209,030,275.45
C.O. #6	\$ 2,222,778.82	Revision to Aesthetic Paint Scheme	\$ 211,253,054.27
C.O.#7	\$ 194,167.48	LED Illumination Fixtures; Deletion of OSB	\$ 211,447,221.75
C.O. #8	\$ 296,754.77	Ramp #1 Rail & MBGF Revisions	\$ 211,743,976.52
C.O.#9	\$ 700,317.37	Stone & Concrete Riprap at US 183 Interchange	\$ 212,444,293.89
C.O.#10	\$ 186,593.97	Eastbound Frontage Road Pavement Widening Section Revision	\$ 212,630,887.86
C.O.#11	\$ 129,147.91	US 183 Southbound Ramp Revisions	\$ 212,760,035.77
C.O.#12	\$ 278,377.28	Marcasite and Deck Drain Repair	\$ 213,038,413.05
C.O.#13	\$ 80,721.51	Presidential Visit to Project Site	\$ 213,119,134.56
C.O.#14	\$ 1,807,432.32	Additional Asphalt Surface Course	\$ 214,926,566.88
C.O.#15	\$ 89,910.55	SH 130 Hardscaping	\$ 215,016,477.43
C.O.#16	\$ 347,534.66	Wetland Impact Minimization	\$ 215,364,012.09
C.O.#17	\$ 1,180,548.78	Eastern Terminus Geometric Revisions	\$ 216,544,560.87

Summary Prepared by:


 Daniel W. Freeman, PE


 Date

Change Order #17

Table of Contents

Exhibit A – CTRMA Independent Estimate

Exhibit B – Directive Letter 08 (“DL-08”)

Exhibit C – CTMC Response to DL-08

Exhibit D – Revised Plans

This change order is the result of a CTRMA-Directed Change to provide a safer ingress/egress point for the Manor New Tech High School. Ramp TR-20, the eastbound ramp that transitions eastbound traffic from the tolled facility to the existing US 290E facility, was revised to prevent exiting school traffic from crossing the eastbound lanes to enter the westbound lanes. To further prevent this movement, the existing crossover was removed. Both of the Manor New Tech High School driveways were reconstructed, and the eastbound frontage road was revised to provide a "forced" right-in and right-out condition. Additionally, the far eastern terminus of the project was revised to transition to an impending TxDOT project in Manor.

Atkins, the General Engineering Consultant for the Manor Expressway Project, performed an independent estimate for the purpose of negotiating this change order. Atkins performed a "level of effort" estimate for the work associated with this change; quantities were independently verified. Contractual mark-ups were applied to this independent estimate. This independent estimate is included in this Exhibit A. Atkins' independent estimate results in a cost increase to the Project in the amount of \$1,416,959.06. After negotiations with CTMC, this change results in an actual additional cost to the Project in the amount of \$1,180,548.78.