



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #19 SUMMARY

Approve a change order with Central Texas Mobility Constructors, LLC, for additional main lane paving on the Manor Expressway project.

Strategic Plan Relevance: Regional Mobility

Department: Engineering

Associated Costs: \$1,807,432.32

Funding Source: Construction Fund

Board Action Required: Yes

Description of Matter:

This change order with Central Texas Mobility Constructors, LLC, includes compensation for additional asphalt surface course placed at the US 183 interchange and the SH 130 interchange. Additionally, full depth pavement repair was requested on the eastbound frontage road from approximate STA 440+00 to approximate STA 455+00. Due to unforeseen subsurface conditions at this full depth repair, underdrains were installed to ensure proper subsurface dewatering.

Reference documentation: Draft Resolution
Change Order #14

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, FOR ADDITIONAL MAIN LANE
PAVING ON THE MANOR EXPRESSWAY PROJECT.**

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, Mobility Authority staff and its general engineering consultant have determined that additional main lane paving is necessary to achieve a standard consistent with other Mobility Authority projects; and

WHEREAS, the Executive Director has negotiated and recommends approval of the proposed change order for the additional main lane paving, 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 \$1,807,432.32, 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 24th day of September, 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: 9/24/14

EXHIBIT 1

PROPOSED CHANGE ORDER WITH

CENTRAL TEXAS MOBILITY CONSTRUCTORS

[on the following 5 pages, but excluding Exhibits referenced therein]



Central Texas Regional
Mobility Authority

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
CHANGE ORDER NUMBER: 14

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>

- CONTRACTOR: Central Texas Mobility Constructors, LLC
- Change Order Work Limits: Sta. 245+00 to Sta. 1503+00
290E 290E
- Type of Change(on federal-aid non-exempt projects): Major (Major/Minor)
- Reasons: 3F (In order of importance - Primary first)
- Describe the work being revised:

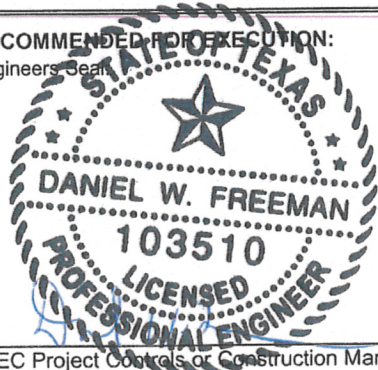
This change order includes compensation for the additional asphalt surface course placed at the US 183 interchange and the SH 130 interchange. Additionally, full depth pavement repair was requested on the eastbound frontage road from approximate STA 440+00 to approximate STA 455+00. Due to unforeseen subsurface conditions at this full depth repair, underdrains had to be installed to ensure proper subsurface dewatering.

- Work to be performed in accordance with Items: 105, 110, 132, 160, 164, 402, 502, 529, 556, 666, 3268, 3271
- New or revised plan sheet(s) are attached and numbered: N/A
- New general notes to the contract are attached: Yes No
- 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>9/8/14</u></p> <p>By <u>[Signature]</u></p> <p>Typed/Printed Name <u>Russ Clark</u></p> <p>Typed/Printed Title <u>Sr. 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>1,807,432.32</u></p> <p>For TxDOT/CTRMA/FHWA use only:</p> <p>Current Contract Amount \$ <u>213,119,134.56</u></p> <p>Revised Contract Amount To Date \$ <u>214,926,566.88</u></p> <p>Days FHWA non-participating <u>N/A</u></p> <p>CO Portion FHWA non-participating <u>N/A</u></p>
---	---

RECOMMENDED FOR EXECUTION:
Engineers Seal



(1) [Signature] 9/8/14
GEC Project Controls or Construction Manager Date

(2) [Signature] 9/9/14
GEC Project Manager Date

(7)
TxDOT Project Engineer Date
 APPROVED REQUEST APPROVAL

(3) [Signature] 9-10-14
CTRMA, Director of Engineering Date
 APPROVED REQUEST APPROVAL

(4)
CTRMA, General Counsel Date
 APPROVED REQUEST APPROVAL

(5)
CTRMA, Executive Director Date
 APPROVED REQUEST APPROVAL

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

(8)
FHWA Area Engineer Date
 APPROVED REQUEST APPROVAL

Manor Expressway Phase II Project

CHANGE ORDER NUMBER: 14

TABLE A: Force Account Work and Materials Placed into Stock

Estimated Cost: \$0.00

LABOR	QTY	HOURLY RATE	TOTAL	EQUIPMENT	DAYS	HOURLY RATE	TOTAL

TABLE B: Contract Items

CHANGE ITEM	REASON CODE	DESCRIPTION	UNIT	ORIGINAL + PREVIOUSLY REVISED			NEW				
				QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST		
EXTRA WORK ITEM	REASON CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST	OVERRUN/ UNDERRUN	
500-2001	3F	MOBILIZATION	LS	1.00	\$ 36,225.00	\$ 36,225.00				\$ 36,225.00	
xxx-xxxx	3F	SURVEY	HR	2.00	\$ 175.21	\$ 350.41				\$ 350.41	
110-2001	3F	EXCAVATION (ROADWAY)	CY	370.00	\$ 7.40	\$ 2,738.00				\$ 2,738.00	
402-2001	3F	TRENCH EXCAVATION PROTECTION	LF	350.00	\$ 3.25	\$ 1,137.50				\$ 1,137.50	
556-2001	3F	PIPE UNDERDRAINS (TY 1) (6")	LF	350.00	\$ 35.37	\$ 12,379.98				\$ 12,379.98	
132-2006	3F	EMBANKMENT (FINAL) (DENS CONT) (TY C)	CY	350.00	\$ 7.25	\$ 2,537.50				\$ 2,537.50	
160-2003	3F	FURNISHING & PLACING TOPSOIL (4")	SY	1,000.00	\$ 1.14	\$ 1,140.00				\$ 1,140.00	
529-2004	3F	CONC CURB & GUTTER (TY II)	LF	700.00	\$ 14.07	\$ 9,851.23				\$ 9,851.23	
3268-2008	3F	D-GR HMA TY-B PG64-22	TN	1,191.04	\$ 99.75	\$ 118,806.24				\$ 118,806.24	
3268-2047	3F	D-GR HMA TY-D SAC-A PG76-22	TN	2,017.37	\$ 120.75	\$ 243,597.43				\$ 243,597.43	
3271-2002	3F	STONE-MTRX-ASPH SMA-C SAC-A PG76-22	TN	7,506.52	\$ 141.75	\$ 1,064,049.21				\$ 1,064,049.21	
105-2002	3F	REMOVING STAB BASE AND ASPH PAV (2")	SY	81,150.10	\$ 2.63	\$ 213,019.01				\$ 213,019.01	
xxx-xxxx	3F	ASPHALT - COLD MIX	LS	1.00	\$ 6,005.48	\$ 6,005.48				\$ 6,005.48	
502-2047	3F	OFF-DUTY POLICE OFFICER	HR	122.00	\$ 72.90	\$ 8,894.31				\$ 8,894.31	
xxx-xxxx	3F	JC COMMUNICATIONS - EXCAVATION, 3x5 ROCK	LS	1.00	\$ 73,500.00	\$ 73,500.00				\$ 73,500.00	
xxx-xxxx	3F	ON ROAD TRUCKING	HR	24.00	\$ 73.68	\$ 1,768.20				\$ 1,768.20	
666-2003	3F	REFL PAV MRK TY I (W) 4" (BRK) (100MIL)	LF	9,300.00	\$ 0.42	\$ 3,906.00				\$ 3,906.00	
666-2111	3F	REFL PAV MRK TY I (W) 4" (SLD) (100MIL)	LF	4,650.00	\$ 0.47	\$ 2,197.13				\$ 2,197.13	
666-2012	3F	REFL PAV MRK TY I (Y) 4" (SLD) (100MIL)	LF	4,650.00	\$ 0.47	\$ 2,197.13				\$ 2,197.13	
666-2036	3F	REFL PAV MRK TY I (W) 8" (SLD) (100MIL)	LF	2,180.00	\$ 0.87	\$ 1,899.87				\$ 1,899.87	
666-2160	3F	REF PAV MRK TY II (W) (ARROW)	EA	2.00	\$ 55.65	\$ 111.30				\$ 111.30	
164-2039	3F	DRILL SEEDING (URBAN) (CLAY)	SY	1,200.00	\$ 0.93	\$ 1,121.40				\$ 1,121.40	
TOTALS						\$		\$	1,807,432.32	\$	1,807,432.32

CHANGE ORDER REASON(S) CODE CHART

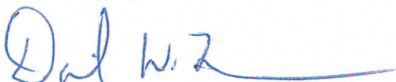
1. Design Error or Omission	1A. Incorrect PS&E 1B. Other
2. Differing Site Conditions (unforeseeable)	2A. Dispute resolution (expense caused by conditions and/or resulting delay) 2B. Unavailable material 2C. New development (conditions changing after PS&E completed) 2D. Environmental remediation 2E. 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. 14 -- 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

Summary Prepared by:


 Daniel W. Freeman, PE

9/8/14
 Date

Change Order #14

Table of Contents

Exhibit A – Exhibits of Changed Work

Exhibit B – CTRMA Independent Estimate

Exhibit C – Request for Change Proposal #22; Directive Letter #14

Exhibit D – CTMC Response to RCP-22/DL-14

Change Order Description

The CTRMA desired to add asphalt surface course to certain areas of the Project to obtain a consistent surface course on the frontage roads throughout the Project. The areas to which asphalt surface course was added can be described as follows:

1. The frontage road area originally included in the Phase I Project was de-scoped from the Phase I Contractor and is included in this change order. A 2" SMA surface course was placed in this area. This area is shown in red on the drawings included in Exhibit A. This scope was shifted to the Phase II Project to ensure a consistent asphalt surface course between the projects.
2. A full depth pavement repair was completed on the eastbound frontage road between baseline station 240+00 and baseline station 245+00. This full depth repair was necessitated by damage to the existing pavement from subsurface moisture. Upon excavation of the existing pavement section, excessive moisture was discovered in the subgrade. As a result, pavement underdrains were installed to prevent damage to the new pavement section in this area. The pavement section installed matches the pavement section of the Phase I Project. This full depth repair is shown in yellow on the drawings included in Exhibit A.
3. A portion of the frontage roads at the SH 130 interchange were constructed as part of TxDOT's Central Texas Turnpike Program (CTTP). Specifically, these sections of the frontage road were constructed as part of the SH 130 Project. The existing asphalt surface course on this section of the frontage roads was milled to a depth of 2", and replaced to ensure a consistent surface course throughout the Manor Expressway Project. This scope is shown in blue on the drawings included in Exhibit A.
4. The final area included in this change order includes the US 290 mainlanes immediately west of the US 183 interchange. The mainlanes were milled to a depth of 2", and Type D surface course was placed in this area from the bridge abutments to approximate baseline station 214+00. This mainlane area is shown in green on the drawings included in Exhibit A.