



**CENTRAL TEXAS
Regional Mobility Authority**

December 16, 2015
AGENDA ITEM # 9

Approve Change Order No. 20 with Central Texas
Mobility Constructors, LLC on the Manor
Expressway Project.

Strategic Plan Relevance: Regional Mobility
Department: Engineering
Contact: Wesley M. Burford, P.E., Director of Engineering
Associated Costs: \$559,703.03
Funding Source: Construction Fund
Action Requested: Consider and act on draft resolution

Summary:

This Change Order compensates CTMC for design and construction revisions to the Shared Use Path to comply with the American Disabilities Act (ADA).

The CDA requires CTMC to design the Shared Use Path in accordance with the AASHTO Bicycle Guide, which does not require ADA compliance. After NTP was issued, FHWA required the Shared Use Path to be ADA compliant. This change required CTMC to redesign the grades of the Shared Use Path (SUP) to be compliant with ADA requirements. This change in SUP elevation impacted several retaining walls (S1-11, S1-16, and S1-20) and certain drainage structures. Certain elements were on the critical path of the Interim Milestone. As a result, these changes impacted CTMC's ability to complete the Interim Development Work. The result is an impact of 55 Days to the Interim Development Work.

The Substantial Completion and Final Acceptance milestones were not affected.

Backup provided: Draft Change Order No. 20
Draft Resolution for Board Consideration

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

RESOLUTION NO. 15-___

**APPROVE CHANGE ORDER NO. 20 WITH CENTRAL TEXAS MOBILITY
CONSTRUCTORS, LLC, ON THE MAONR EXPRESSWAY PHASE II
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, after Notice to Proceed was issued, FHWA required the Shared Use Path to comply with the American Disabilities Act (“ADA”); and

WHEREAS, this change will require CTMC to perform additional work related to the Shared Use Path to be compliant with ADA requirements; and

WHEREAS, the Executive Director has negotiated and recommends approval of the proposed Change Order No. 20 for the necessary adjustments to the Shared Use Path, a copy of which is attached hereto as 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 \$559,703.03; 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.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 16th day of December, 2015.

Submitted and reviewed by:

Approved:

Geoffrey Petrov, General Counsel

Ray A. Wilkerson
Chairman, Board of Directors



Central Texas Regional
Mobility Authority

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

CHANGE ORDER NUMBER: 20

Project Name: Manor Expressway
Phase II Project

Contract No: CDA

CCSJ: 0114-02-053

Highway: 290E

County: Travis

District: Austin

FAP Number: NH1101 (012)

1. CONTRACTOR: Central Texas Mobility Constructors, LLC

2. Change Order Work Limits: Sta. 480+00 to Sta. 530+00
290E 290E

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

4. Reasons: 2C (In order of importance - Primary first)

5. Describe the work being revised:

The scope of this change order includes adjustments to the shared use path so that it is compliant with the Americans with Disabilities Act (ADA). This includes plan and profile revisions to the SUP, and revisions to Retaining Walls S1-11, S1-16, and S1-20. This change results in a schedule impact to the Interim Milestone of 55 Days.

6. Work to be performed in accordance with Items: 132, 247, 356, 416, 420, 423, 432, 464, 465, 466

7. New or revised plan sheet(s) are attached and numbered: 1RD-40 through 1RD-48; 1RW-026; 1RW-031; 1RW-032;
1RW-035A

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>11/25/15</u></p> <p>By <u>[Signature]</u></p> <p>Typed/Printed Name <u>Tim Muller</u></p> <p>Typed/Printed Title <u>Proj. Mgr</u></p>	<p>The following information must be provided</p> <p>Time Ext. #: <u>2</u> Days added on this CO: <u>55</u> (Interim Milestone Only)</p> <p>Amount added by this change order: \$ <u>559,703.03</u></p> <p>For TxDOT/CTRMA/FHWA use only:</p> <p>Current Contract Amount \$ <u>216,855,658.30</u></p> <p>Revised Contract Amount To Date \$ <u>217,965,361.33</u></p> <p>Days FHWA non-participating <u>55</u></p> <p>CO Portion FHWA non-participating \$ <u>559,703.03</u></p>
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RECOMMENDED FOR EXECUTION

Engineers Seal:



(1) [Signature] 12/3/2015
GEC Project Controller/Construction Manager Date

(2) [Signature] 12/3/2015
GEC Project Manager Date

(7) APPROVED REQUEST APPROVAL
TxDOT Project Engineer Date

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

(4) _____ Date
CTRMA, General Counsel
 APPROVED REQUEST APPROVAL

(5) _____ Date
CTRMA, Executive Director
 APPROVED REQUEST APPROVAL

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

(8) _____ Date
FHWA Area Engineer
 APPROVED REQUEST APPROVAL

Manor Express Phase II Project

CHANGE ORDER NUMBER: 20

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			OVERRUN/ UNDERRUN
				QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST	
EXTRA WORK ITEM		DESCRIPTION	UNIT							
Multiple	2C	ADA COMPLIANT SHARED USE PATH					1.00	LS	\$ 559,703.03	\$ 559,703.03
TOTALS						\$ -			\$ 559,703.03	\$ 559,703.03

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. 20 -- 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	\$ -	Liquidated Damages Associated with Interim Development Work	\$ 207,322,205.91
LRs	\$ (108,520.00)	Lane Rental Fees Assessed	\$ 207,213,685.91
Incentive	\$ 540,000.00	Early Completion Incentive - Substantial Completion	\$ 207,753,685.91
C.O. #1	\$ 1,480,445.71	Revised Mainlane and Frontage Road Pavement Sections	\$ 209,234,131.62
C.O. #2	\$ 9,010.88	Force Majeure Event - Discovery of Cistern	\$ 209,243,142.50
C.O. #3	\$ 41,339.71	Broadcast Seeding and Watering at US 183 interchange	\$ 209,284,482.21
C.O. #4	\$ 187,404.28	Mainlane Column Protection in SH 130 median	\$ 209,471,886.49
C.O. #5	\$ 108,388.96	Incorporation of Revised MBGF Standards	\$ 209,580,275.45
C.O. #6	\$ 2,222,778.82	Revision to Aesthetic Paint Scheme	\$ 211,803,054.27
C.O.#7	\$ 194,167.48	LED Illumination Fixtures; Deletion of OSB	\$ 211,997,221.75
C.O. #8	\$ 296,754.77	Ramp #1 Rail & MBGF Revisions	\$ 212,293,976.52
C.O.#9	\$ 700,317.37	Stone & Concrete Riprap at US 183 Interchange	\$ 212,994,293.89
C.O.#10	\$ 186,593.97	Eastbound Frontage Road Pavement Widening Section Revision	\$ 213,180,887.86
C.O.#11	\$ 129,147.91	US 183 Southbound Ramp Revisions	\$ 213,310,035.77
C.O.#12	\$ 278,377.28	Marcasite and Deck Drain Repair	\$ 213,588,413.05
C.O.#13	\$ 80,721.51	Presidential Visit to Project Site	\$ 213,669,134.56
C.O.#14	\$ 1,807,432.32	Additional Asphalt Surface Course	\$ 215,476,566.88
C.O.#15	\$ 89,910.55	SH 130 Hardscaping	\$ 215,566,477.43
C.O.#16	\$ 347,534.66	Wetland Impact Minimization	\$ 215,914,012.09
C.O.#17	\$ 1,180,548.78	Eastern Terminus Geometric Revisions	\$ 217,094,560.87
C.O.#18	\$ 129,030.41	US 183 Right Turn Revision and Sidewalk Deletion	\$ 217,223,591.28
C.O.#19	\$ 182,067.02	Interim Development Work Operational Improvements	\$ 217,405,658.30
C.O.#20	\$ 559,703.03	ADA Compliant Shared Use Path	\$ 217,965,361.33

Summary Prepared by:


 Daniel W. Freeman, PE

Date

12/3/2015