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

RESOLUTION NO. 10-89

Approve Change Order No. 8 to Contract No. 10290E22701C with W.W. Webber LLC for the Direct Connectors at US 183 Project "Green Initiatives"

WHEREAS, by Resolution No. 09-83, dated December 17, 2009, the Board of Directors awarded a construction contract for the Direct Connectors at US 183, also referred to as Segment 1 of the 290E Toll Project (the "Project"), to W.W. Webber LLC, and authorized and directed the Executive Director to finalize and execute a contract with W.W. Webber LLC for provision of those services; and

WHEREAS, Contract No. 10290E22701C for construction of the Project was fully executed by CTRMA and W.W. Webber LLC and became effective on April 27, 2010; and

WHEREAS, CTRMA staff and its general engineering consultant have requested that W.W. Webber LLC prepare and submit a proposal to follow additional environmentally beneficial practices in connection with the construction of the Project; and

WHEREAS, W.W. Webber LLC has proposed to provide solid waste recycling services for the construction field office and at the Project site, and to substitute warm mix asphalt for all dense graded hot mix asphalt used on the Project; and

WHEREAS, the proposed Change Order No. 8 to Contract No. 10290E22701C ("Change Order No. 8") incorporated into this Resolution as Attachment "A" sets forth a scope of services to implement certain "Green Initiatives" for the Project; and

WHEREAS, because the additional cost of Change Order No. 8 exceeds \$150,000.00, the Board of Directors must approve this proposed change order.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the proposed Change Order No. 8 in the form or substantially the same form attached as Attachment "A;" and

BE IT FURTHER RESOLVED, that Change Order No. 8 may be finalized and executed by the Executive Director on behalf of the CTRMA.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 29th day of September, 2010.

Submitted and reviewed by:

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Andrew Martin General Counsel for the Central Texas Regional Mobility Authority Approved:

Ray A. Wilkerson Chairman, Board of Directors Resolution Number <u>10-89</u> Date Passed <u>09/29/10</u> ATTACHMENT "A" <u>TO</u> RESOLUTION 10-89

PROPOSED CHANGE ORDER NO. 8 TO CONTRACT NO. 10290E22701C

	, <i>a</i>						
·	CENTRAL TEXAS REGIONAL CHANGE ORDER NU		, 				
	Central Texas Regional Mobility Authority		Project Name: 290E Toll Project				
	1. CONTRACTOR: W.W. Webber, LLC	· · ·	Contract No: 10290E22701c				
	2. Change Order Work Limits: Sta. 205+00.00 to	Sta. 277+00.00	CCSJ: 0114-02-090				
	3. Type of Change(on federal-aid non-exempt projects):	Major (Major/Minor)	Highwa <u>y: 290E</u>				
	4. Reasons: 3I (In order of import	ance - Primary first)	County: Travis				
	5. Describe the work being revised:		District: Austin				
	DATC Evotherm warm mix technology will be added to all hot mi Provision 341-020 is deleted and replaced by the attached Spec This TxDOT Special Provision allows for lower fuel consumption recycled products in asphaltic concrete construction.	ial Provision 341-024.	FAP Number: STP 2009(489)ES				
	6. Work to be performed in accordance with Items: 34	1 & 346					
	7. New or revised plan sheet(s) are attached and numbered	ed: N.A.					
	9	Yes 🗹 No	er ettersterst				
	9. New Special Provisions to Item 341 No. 024 and Specia						
	Each signatory hereby warrants that each has the authority						
	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.	The following inform Time Ext. #: <u>N.A.</u>	Days added on this CO:0				
	THE CONTRACTOR // Date 8/9/10	Amount added by this char					
	ву	For TxDOT/CTRMA/FHWA use only: Original Contract Amount \$52,575,545.77 For Use of Contract Amount					
	Typed/Printed Name CARLOS PLANELLES	Revised Contract Amount T	<u> </u>				
	Typed/Printed Title CONSTR. MANAGER	Days FHWA non-participati CO Portion FHWA non-par					
	RECOMMENDED FOR EXECUTION: Engineer Seal						
	PAUL J. BEDARD	(5)					
	94322	CTRMA, Director	of Engineering Date				
	POR LICENSED						
	(1) ADD STOMALE SEALLA 8/13/10	(6)	eral Counsel Date				
	GEC Segment Manager Date		eral Counsel Date				
	(2) len A Lel PE 08/110/10 GEC Construction Manager Date) (7) CTRMA, Exec	utive Director Date				
			REQUEST APPROVAL				
	(3)	(4)					
			a Engineer Date				

290E Segment 1 Project

CHANGE ORDER NUMBER: _ 8

 TABLE A: Force Account Work and Materials Placed into Stock
 Estimated Cos:

 Image: I

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TABLE B: Contract Items

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CHANGE ITEM	REASON CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST	OVERRUN/ UNDERRUN
341-2014	31	D-GR HMA(QCQA) TY-B PG70-22	TN	40,487.00	\$ 60.00	\$ 2,429,220.00	0.00		\$0.00	(\$2,429,220.00)
		D-GR HMA(QCQA) TY-C PG76-22	TN	2,901.00			0.00		\$0.00	(\$191,466.00)
	31	STONE-MTRX-ASPH SMA-C SAC-A PG76-22	TN	2,978.00			0.00		\$0.00	(\$217,394.00)
		CONSTRUCTING DETOURS	SY	10,205.00			0.00		\$0.00	(\$612,300.00)
508-2005	31	CONSTRUCTING DETOURS (EBSS)	SY	3,743.00	\$ 7.00	\$ 26,201.00	0.00		\$0.00	(\$26,201.00)
530-2005	31	INTERSECTIONS (ACP)	SY	613.00	\$ 45.00	\$ 27,585.00	0,00		\$0.00	(\$27,585.00)
530-2011	31	DRIVEWAYS (ACP)	SY	149.00	\$ 80.00	\$ 11,920.00	0.00		\$0.00	(\$11,920.00)
						\$ -				
						\$ -				
EXTRA WORK ITEM	REASON CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST	OVERRUN/ UNDERRUN
341-2015	31	D-GR HMA (QCQA) TY-B			\$ -	\$ -	40,487.00	\$ 63.20	\$2,558,778.40	\$2,558,778.40
341-2067	31	D-GR HMA (QCQA) TY-C			\$ -	5 -	2,901.00	\$ 69.20	\$200,749.20	\$200,749.20
346-2003	31	STONE-MTRX-ASPH SMA-C			\$ -	\$ -	2,978.00	\$ 76.20	\$226,923.60	\$226,923.60
508-2003	31	CONSTRUCTING DETOURS				\$ -	10,205.00	62.11	\$633,832.55	\$633,832.55
508-2006	31	CONSTRUCTING DETOURS (EBSS)				\$ -	3,743.00	9.57	\$35,820.51	\$35,820.51
530-2006	31	INTERSECTIONS (ACP)				\$ -	613.00		\$30,539.66	\$30,539.66
530-2012	31	DRIVEWAYS (ACP)				\$ -	149.00	80.43	\$11,984.07	\$11,984.07
	TOTALS				\$ 3,516,086.00			\$3,698,627.99	\$182,541.99	

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CHANGE ORDER REASON(S) CODE CHART

1. Design Error or Omission	1A. Incorrect PS&E 1B. Other
2. Differing Site Conditions	2A. Dispute resolution (expense caused by conditions and/or resulting delay)
(unforeseeable)	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)
	21. Additional safety needs (unforeseeable)
	2J. Other
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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 construction
	31. 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