

**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:



Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority

Approved:



Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number 10-89
Date Passed 09/29/10

ATTACHMENT "A"
TO
RESOLUTION 10-89

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

CHANGE ORDER REASON(S) CODE CHART

<p>1. Design Error or Omission</p>	<p>1A. Incorrect PS&E 1B. Other</p>
<p>2. Differing Site Conditions (unforeseeable)</p>	<p>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</p>
<p>3. CTRMA Convenience</p>	<p>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 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</p>
<p>4. Third Party Accommodation</p>	<p>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</p>
<p>5. Contractor Convenience</p>	<p>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</p>
<p>6. Untimely ROW/Utilities</p>	<p>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</p>