

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

**RESOLUTION NO. 11-037**

**Approve a Change Order to the 183A Phase II Contract with Webber LLC  
to Install Two Underground Utility Encasements.**

WHEREAS, by Resolution No. 09-81, dated December 17, 2009, the Board of Directors awarded a construction contract for 183A Phase II Project (the "Project") to W.W. Webber LLC ("Webber"), and authorized and directed the Executive Director to finalize and execute a contract with Webber for provision of those services; and

WHEREAS, Contract No. 10183A24601C for construction of the Project (the "Contract") was fully executed by CTRMA and Webber and became effective on February 1, 2010; and

WHEREAS, CTRMA staff and its general engineering consultant have requested that Webber prepare and submit a proposal to install two underground utility encasements under Hero Way and the 183A mainlanes on the north side of RM 2243 in connection with the construction of the Project; and


WHEREAS, because the additional cost of Change Order No. 14 exceeds \$150,000.00, the Board of Directors must approve this proposed change order.

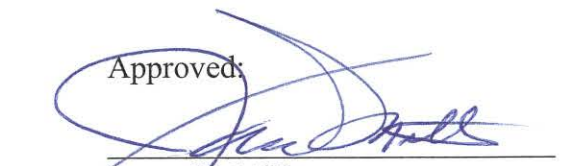
NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the proposed Change Order No. 14 in the form or substantially the same form attached as Attachment "A;" and

BE IT FURTHER RESOLVED, that Change Order No. 14 may be finalized and executed by the Executive Director on behalf of CTRMA if and when the Executive Director receives a binding commitment from one or more of the ultimate users of encasements to reimburse CTRMA for its costs to install the encasements.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27<sup>th</sup> day of April, 2011.

Submitted and reviewed by:

  
\_\_\_\_\_  
Andrew Martin  
General Counsel for the Central  
Texas Regional Mobility Authority

Approved:  
  
\_\_\_\_\_  
James H. Mills  
Vice Chairman, Board of Directors  
Resolution Number: 11-037  
Date Passed: 4/27/11

**ATTACHMENT "A" TO RESOLUTION 11-037**

**Draft Work Authorization #14**

**[Following 3 Pages]**



Central Texas Regional  
Mobility Authority

**CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**  
**DRAFT CHANGE ORDER NUMBER: 14**

**DRAFT**

- 1. CONTRACTOR: Webber LLC
- 2. Change Order Work Limits: Sta. N/A to Sta. N/A
- 3. Type of Change(on federal-aid non-exempt projects): N/A (Major/Minor)
- 4. Reasons: 3F (In order of importance - Primary first)
- 5. Describe the work being revised:

5a. Install encasement pipes for future utilities

Project Name	<u>183A Phase II</u>
Contract Name	<u>183A Phase II</u>
Contract Award Date	<u>December 21, 2009</u>
Contract Number:	<u>10183A24601C</u>

- 6. Work to be performed in accordance with Items: as noted in Table B attached, Special Provision
- 7. New or revised plan sheet(s) are attached and numbered: N/A
- 8. New general notes to the contract are attached:  Yes  No
- 9. New Special Provisions to Items 476 No. 001 and Special Specification Item N/A are attached.

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><b>THE CONTRACTOR</b>                      Date _____</p> <p>By _____</p> <p>Typed/Printed Name _____</p> <p>Typed/Printed Title _____</p>	<p><b>The following information must be provided</b></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>\$270,791.08</u></p>							
	<p><b>For CTRMA use only:</b></p> <table> <tr><td>Original Contract Amount</td><td><u>\$75,792,413.92</u></td></tr> <tr><td>Previous Change Orders #01 - #13</td><td><u>(\$259,297.39)</u></td></tr> <tr><td>Amount added by this change order:</td><td><u>\$270,791.08</u></td></tr> <tr><td>Revised contract amount to- date:</td><td><u>\$75,803,907.61</u></td></tr> </table>	Original Contract Amount	<u>\$75,792,413.92</u>	Previous Change Orders #01 - #13	<u>(\$259,297.39)</u>	Amount added by this change order:	<u>\$270,791.08</u>	Revised contract amount to- date:
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Amount added by this change order:	<u>\$270,791.08</u>							
Revised contract amount to- date:	<u>\$75,803,907.61</u>							

**RECOMMENDED FOR EXECUTION:**

\_\_\_\_\_  
HNTB GEC Project Manager                      Date

\_\_\_\_\_  
CTRMA, Director of Engineering                      Date  
 APPROVED                       REQUEST APPROVAL

\_\_\_\_\_  
HNTB GEC Construction Manager                      Date

\_\_\_\_\_  
CTRMA, General Counsel                      Date  
 APPROVED                       REQUEST APPROVAL

\_\_\_\_\_  
CTRMA, Executive Director                      Date  
 APPROVED                       REQUEST APPROVAL



**CHANGE ORDER REASON(S) CODE CHART**

<p>1. Design Error or Omission</p>	<p>1A. Incorrect PS&amp;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&amp;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>