

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

**RESOLUTION NO. 14-043**

**APPROVING A CHANGE ORDER WITH CENTRAL TEXAS MOBILITY  
CONSTRUCTORS LLC FOR THE MANOR 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 fully executed by the Mobility Authority and CTMC and became effective on June 15, 2011; and

WHEREAS, Mobility Authority staff and its general engineering consultant have requested that CTMC install stone or concrete riprap as well as landscape curb in and around the US 183 interchange in areas not suitable for vegetation due to lack of light and water; and

WHEREAS, the Executive Director recommends approval of the proposed change order with CTMC attached as Exhibit 1 to this resolution, but without Exhibits A through C on file with the Mobility Authority and referenced therein.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the proposed change order with CTMC for an additional amount not to exceed \$700,317.37, 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 approved 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 and with all exhibits referenced therein.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 25<sup>th</sup> day of June, 2014.

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: 14-043  
Date Passed: 6/25/14

**EXHIBIT 1**

**PROPOSED CHANGE ORDER WITH**

**CENTRAL TEXAS MOBILITY CONSTRUCTORS**

**[on the following 5 pages, but excluding Exhibits A through C referenced therein]**



Central Texas Regional  
Mobility Authority

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

CHANGE ORDER NUMBER: 09

- 1. CONTRACTOR: Central Texas Mobility Constructors, LLC
- 2. Change Order Work Limits: Sta. 230+00 to Sta. 250+00  
US 290 US 290
- 3. Type of Change(on federal-aid non-exempt projects): Major (Major/Minor)
- 4. Reasons: 3E, 2C (In order of importance - Primary first)

5. Describe the work being revised:

Install stone and concrete riprap in and around the US 183 interchange to cover areas in which grass would not germinate due to lack of sunlight or lack of water, and to reduce future maintenance costs. Landscape curb was installed in the areas of the stone riprap. Also, adjust inlet elevation in the gore area near the westbound entrance ramp near Ridgepoint Drive to achieve proper drainage.

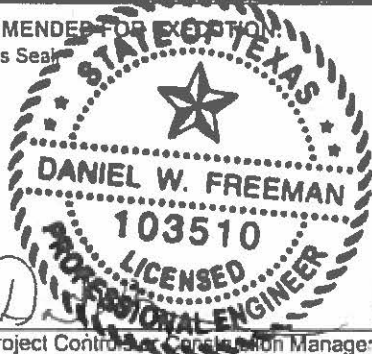
- 6. Work to be performed in accordance with Items: 164, 168, 192, 432, 459, 479, 1122
- 7. New or revised plan sheet(s) are attached and numbered:  891 - 896; 1RD-009; 1RD-010
- 8. New general notes to the contract are attached: Yes  No
- 9. New Special Provisions to Item No.      and Special Specification Item are attached. N.A.

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>

Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

<p><small>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.</small></p> <p>THE CONTRACTOR Date <u>6/12/14</u></p> <p>By <u>[Signature]</u></p> <p>Typed/Printed Name <u>KWES CLARK</u></p> <p>Typed/Printed Title <u>SR. PROJECT MANAGER</u></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>700,317.37</u></p> <p><b>For TxDOT/CTRMA/FHWA use only:</b></p> <p>Current Contract Amount \$ <u>211,203,976.52</u></p> <p>Revised Contract Amount To Date \$ <u>211,904,293.89</u></p> <p>Days FHWA non-participating <u>N/A</u></p> <p>CO Portion FHWA non-participating <u>N/A</u></p>
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RECOMMENDED FOR ADOPTION  
Engineers Seal



(1) [Signature] 6/16/14  
GEC Project Control Center Construction Manager Date

(2) [Signature] 6/16/14  
GEC Project Manager Date

(7) \_\_\_\_\_ Date  
 APPROVED  REQUEST APPROVAL  
TxDOT Project Engineer

(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  
 APPROVED  REQUEST APPROVAL  
FHWA Area Engineer

### Manor Expressway Phase II Project

CHANGE ORDER NUMBER: 9

TABLE A: Force Account Work and Materials Placed into Stock

Estimated Cost:

\$700,317.37

	LABOR	HOURLY RATE	EQUIPMENT	HOURLY RATE
	N/A	N/A	N/A	N/A
		230+00	250+00	

TABLE B: Contract Items

Major

CHANGE ITEM	REASON CODE	DESCRIPTION	UNIT	ORIGINAL + PREVIOUSLY REVISED			NEW			OVERRUN/UNDERRUN
				QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST	
<b>EXTRA WORK ITEM</b>	<b>REASON CODE</b>	<b>DESCRIPTION</b>	<b>UNIT</b>	<b>QUANTITY</b>	<b>UNIT PRICE</b>	<b>ITEM COST</b>	<b>QUANTITY</b>	<b>UNIT PRICE</b>	<b>ITEM COST</b>	<b>OVERRUN/UNDERRUN</b>
152-2002	3E	ROAD GRADER WORK	SY				766.00	\$16.94	\$ 12,976.04	\$ 12,976.04
184-2023	3E	CELL FBR MULCH SEED (PERM) (URBAN) (CLAY)	SY				16,857.00	\$0.29	\$ 4,963.96	\$ 4,963.96
168-2001	3E	VEGETATIVE WATERING	MG				300.00	\$31.20	\$ 9,360.00	\$ 9,360.00
182-2015	3E	LANDSCAPE EDGE	LF				1,750.00	\$72.73	\$ 127,312.50	\$ 127,312.50
432-2001	3E	RIPRAP (CONC) (4 IN)	CY				82.00	\$631.27	\$ 51,784.14	\$ 51,784.14
432-2019	3E	RIPRAP (STONE PROTECTION) (12 IN)	CY				2,818.00	\$170.57	\$ 480,662.60	\$ 480,662.60
459-2014	3E	GABIONS (3X3) (GALV)	CY				2.00	\$3,300.00	\$ 6,600.00	\$ 6,600.00
478-2006	2C	ADJUST INLET (CAP)	EA				1.00	\$5,822.73	\$ 5,822.73	\$ 5,822.73
902-2056	3E	OFF-DUTY UNIFORM POLICE OFFICER	HR				160.00	\$73.50	\$ 11,760.00	\$ 11,760.00
1122-2002	3E	ROCK FILTER DAMS (INSTALL) (TY 2)	LF				131.00	\$16.80	\$ 2,200.80	\$ 2,200.80
									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
									\$ -	\$ -
<b>TOTALS</b>									\$ 700,317.37	\$ 700,317.37

## 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. 9 – 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
C.O. #1	\$ 1,480,445.71	Revised Mainlane and Frontage Road Pavement Sections	\$ 208,144,131.62
C.O. #2	\$ 9,010.88	Force Majeure Event - Discovery of Cistern	\$ 208,153,142.50
C.O. #3	\$ 41,339.71	Broadcast Seeding and Watering at US 183 interchange	\$ 208,194,482.21
C.O. #4	\$ 187,404.28	Mainlane Column Protection in SH 130 median	\$ 208,381,886.49
C.O. #5	\$ 108,388.96	Incorporation of Revised MBGF Standards	\$ 208,490,275.45
C.O. #6	\$ 2,222,778.82	Revision to Aesthetic Paint Scheme	\$ 210,713,054.27
C.O.#7	\$ 194,167.48	LED Illumination Fixtures; Deletion of OSB	\$ 210,907,221.75
C.O. #8	\$ 296,754.77	Ramp #1 Rail & MBGF Revisions	\$ 211,203,976.52
C.O.#9	\$ 700,317.37	Stone & Concrete Riprap at US 183 Interchange	\$ 211,904,293.89

Summary Prepared by:

  
Daniel W. Freeman, PE

  
Date

**Change Order #9  
Table of Contents**

- Exhibit A – CTRMA Independent Estimate**
- Exhibit B – Request for Change Proposal #17 (RCP-017)  
(Revised Plans included in RCP)**
- Exhibit C – CTMC Response to RCP-017**