

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

**RESOLUTION NO. 14-022**

**APPROVING A CHANGE ORDER WITH  
CENTRAL TEXAS MOBILITY CONSTRUCTORS, LLC, RELATING TO  
PAINTING FOR THE MANOR EXPRESSWAY.**

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, Mobility Authority staff and its general engineering consultant have determined that additional structural surfaces should be painted to achieve a standard consistent with other Mobility Authority projects; and

WHEREAS, the Executive Director has negotiated and recommends approval of the proposed change order for the additional painting and related matters, attached as Exhibit 1, and of the exhibits to that exhibit that are not attached to this resolution but are on file with the Mobility Authority and referenced in 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 \$2,222,778.82, in the form or substantially the same form attached as Exhibit 1, include all exhibits referenced therein; 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 and with all exhibits referenced therein.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26<sup>th</sup> day of March, 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: 14-022  
Date Passed: 3/26/14

**EXHIBIT 1**

**PROPOSED CHANGE ORDER NO. 6 WITH**  
**CENTRAL TEXAS MOBILITY CONSTRUCTORS**

**[on the following 10 pages, but excluding Exhibits referenced therein]**



Central Texas Regional  
Mobility Authority

**CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**  
**CHANGE ORDER NUMBER: 06**

Project Name:	<u>Manor Expressway Phase II Project</u>
Contract No:	<u>GDA</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>


1. CONTRACTOR: Central Texas Mobility Constructors, LLC
2. Change Order Work Limits: Sta. 245+00 to Sta. 1575+00  
US 290 US 290
3. Type of Change (on federal-aid non-exempt projects): Major (Major/Minor)
4. Reasons: 3F (In order of Importance - Primary first)

5. Describe the work being revised:  
Additional aesthetic structures will be painted (i.e. barrier rail, capitals, caps, sign and toll gantry columns).

6. Work to be performed in accordance with Items: Item 427, Revised Standard
7. New or revised plan sheet(s) are attached and numbered:  Revised Paint Standards
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>3/14/2014</u></p> <p>By <u>[Signature]</u></p> <p>Typed/Printed Name <u>Russ Clark</u></p> <p>Typed/Printed Title <u>Project Manager</u></p>	<p><i>The following information must be provided</i></p> <p>Time Ext. #: <u>1</u> Days added on this CO: <u>88</u></p> <p>Amount added by this change order: \$ <u>2,222,778.82</u></p> <p><i>For TxDOT/CTRMA/FHWA use only:</i></p> <p>Current Contract Amount \$ <u>209,148,795.45</u></p> <p>Revised Contract Amount To Date \$ <u>211,371,574.27</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 EXECUTION  
Engineers Seal
- 
- (1) [Signature] 3/14/14  
GEC Project Controls or Construction Manager Date
- (2) [Signature] FOR 3/14/14  
ARROW AURY  
GEC Project Manager Date
- (7) \_\_\_\_\_ Date  
TxDOT Project Engineer Date  
 APPROVED  REQUEST APPROVAL

- (3) [Signature] 3-15-14  
CTRMA, Director of Engineering Date  
 APPROVED  REQUEST APPROVAL
- (4) [Signature] 3/20/14  
CTRMA, General Counsel Date  
 APPROVED  REQUEST APPROVAL
- (5) \_\_\_\_\_ Date  
CTRMA, Executive Director Date  
 APPROVED  REQUEST APPROVAL
- (6) \_\_\_\_\_ Date  
FHWA Area Engineer (Verbal Approval) Date  
 APPROVED  REQUEST APPROVAL
- (8) \_\_\_\_\_ Date  
FHWA Area Engineer 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 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</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>

**Change Order No. 6 -- 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
C.O. #1	\$ 1,480,445.71	Revised Mainlane and Frontage Road Pavement Sections	\$ 208,802,651.62
C.O. #2	\$ 9,010.88	Force Majeure Event - Discovery of Cistern	\$ 208,811,662.50
C.O. #3	\$ 41,339.71	Broadcast Seeding and Watering at US 183 Interchange	\$ 208,853,002.21
C.O. #4	\$ 187,404.28	Mainlane Column Protection in SH 130 median	\$ 209,040,406.49
C.O. #5	\$ 108,388.96	Incorporation of Revised MBGF Standards	\$ 209,148,795.45
C.O. #6	\$ 2,222,778.82	Revision to Aesthetic Paint Scheme	\$ 211,371,574.27
C.O.#7			\$ 211,371,574.27
C.O. #8			\$ 211,371,574.27
C.O. #9			\$ 211,371,574.27
C.O.#10			\$ 211,371,574.27

Summary Prepared by:

  
 Daniel W. Freeman, PE

  
 Date



# Letter of Transmittal



Date: 03/12/2014  
Manor Expressway Project  
Transmittal Number: TCT/RMA 1542

To: CTRMA  
8200 Cameron Road, Ste. C-150  
Austin, TX 78754  
Attn: Aaron Autry

From: CTMC  
8200 Cameron Road Suite C-150  
Austin, TX 78754  
512-637-9601

DL #12 (RCP-011)

Description:  
Revised Aesthetic Paint Scheme (Revised)

Signed

FOR

Russ Clark



Manor Expressway Phase II Project  
Project No.: NH1101 (012)  
CSI: 0114-02-053

## FORM OF CHANGE ORDER FORM

CHANGE ORDER PROPOSAL NO. **DL #12 (RCP-011)** CONTRACT NO. NH1101 (012)

### SECTION I

Originator: *CTRMA*

Date:

Title:

Contract No.: *NH1101 (012)*

Company Name: *CTMC*

#### DESCRIPTION:

*Revised Aesthetic Paint Scheme (Revised)*

#### SCOPE:

*All costs associated with the following activities: Design engineer takeoff and review, local law enforcement support for work activities, painting of aesthetic columns, MSE walls, and aesthetic/mainlane rail as shown on the enclosed plans.*

*A time impact analysis (TIA) concluded an 88 day impact to the Substantial Completion date. This TIA will extend the contract from February 6th 2014 to May 6th 2014.*

#### CAUSE OF CHANGE ORDER REQUEST:

*Requested by the CTRMA. This Directive Letter is outside the scope of the Manor Expressway Phase II Project.*

  
\_\_\_\_\_  
D/B CDK Developer's Project Manager

  
\_\_\_\_\_  
Date



Manor Expressway Phase II Project  
 Project No.: NH1101 (012)  
 CSI: 0114-02-053

### CHANGE ORDER REQUEST

CHANGE ORDER PROPOSAL NO. DL #012 (RCP 011) CONTRACT NO. NH1101 (012)

*Revised Aesthetic Paint Scheme (Revised)*

#### SECTION II

The total amount of this Change Order is \$ 2,222,778.82 Documentation supporting the Change Order is attached as Exhibits A through D

#### Payment Schedule Items Added/Deducted:

Item No.	Description of Work	Unit	Qty.	Rate	Amount
1	Revised Aesthetic Paint Scheme (Revised)	SF	925,137.00	\$ 0.46	\$ 425,730.82
2	Extended Overhead	DA	88.00	\$ 20,421.00	\$ 1,797,048.00
					\$ -
					\$ 2,222,778.82

#### Summary of Change Order Proposal by Categories:

A.	Design-Builder Labor (construction)	
1.	Wages	\$ -
2.	Labor benefits (55%)	\$ -
B.	Design-Builder and Subcontractor Labor (professional services)	
1.	Wages (Raw)	
2.	Labor benefits (145%, which includes overhead and profit)	
3.	Off-duty peace officers and patrol cruisers	
C.	Materials (with taxes, freight and discounts)	
D.	Equipment	\$ -
E.	Subcontracts	\$ 405,457.92
F.	Extended Overhead	\$ 1,797,048.00
G.	Overhead and Profit	
1.	Labor (25%)	\$ -
2.	Materials (15%)	\$ -
3.	Subcontractors (5%)	\$ 20,272.90
4.	Utility Direct Costs (5%)	
H.	<b>Grand Total</b>	<b>\$ 2,222,778.82</b>





Manor Expressway Phase II Project  
Project No.: NH1101 (012)  
CSJ: 0114-02-053

**CHANGE ORDER REQUEST**

CHANGE ORDER PROPOSAL NO. DL #12 (RCP-011) CONTRACT NO. NH1101 (012)

*Revised Aesthetic Paint Scheme (Revised)*

**SECTION III**

The status of Interim Milestone Completion is as follows:

- Unaffected by this Change Order Proposal
- Affected by (increasing) (decreasing) the scheduled date for achieving Interim Milestone Completion by \_\_\_\_\_ calendar days.
- Affected by (increasing) (decreasing) the \_\_\_\_\_ Float by \_\_\_\_\_ calendar days.

The status of Substantial Completion is as follows:

- Unaffected by this Change Order Proposal
- Affected by (increasing) (decreasing) the scheduled date for achieving Substantial Completion by 88 calendar days.
- Affected by (increasing) (decreasing) the \_\_\_\_\_ Float by \_\_\_\_\_ calendar days.

The status of Final Acceptance is as follows:

- Unaffected by this Change Order Proposal
- Affected by (increasing) (decreasing) the scheduled date for achieving Substantial Completion by 88 calendar days.
- Affected by (increasing) (decreasing) the \_\_\_\_\_ Float by \_\_\_\_\_ calendar days.

Accordingly, the summary of the dates of Interim Mileston Completion, Substantial Completion and Final Acceptance and Float are as follows.

1. Interim Completion: Saturday, October 27, 2012  
(+ or - 487 days from base of NTP)
2. Substantial Completion: Tuesday, May 06, 2014  
(+ or - 1043 days from base of NTP)
3. Final Acceptance: Wednesday, September 03, 2014  
(+ or - 1163 days from base of NTP)
4. Number of days of Project Float N/A

Justification for Change Order with reference to Contract Documents:

The above three sections represent a true and complete summary of all aspects of the change.

The Change Order Proposal includes all known and anticipated impacts or amounts, direct, indirect and consequential, which may be incurred as a result of the event, occurrence or matter giving rise to the proposed change.

If the foregoing Change Order Proposal includes claims of Subcontractors, the undersigned have reviewed such claims and have determined in good faith that the claims are justified as to both entitlement and amount.

  
 \_\_\_\_\_  
 D/B CDA Developer's Project Manager

3/11/2014  
 \_\_\_\_\_  
 Date



Manor Expressway Phase II Project  
Project No.: NH1101 (012)  
CSI: 0114-02-053

### CHANGE ORDER REQUEST

CHANGE ORDER PROPOSAL NO. DL #12 (RCP-011)  
*Revised Aesthetic Paint Scheme (Revised)*

CONTRACT NO. NH1101 (012)

SECTION IV (Reviewed by CTRMA Project Engineer)

\_\_\_\_\_  
CTRMA Project Engineer

\_\_\_\_\_  
Date

Comments:

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Manor Expressway Phase II Project  
 Project No.: NH1101 (012)  
 CSI: 0114-02-053

### CHANGE ORDER REQUEST

CHANGE ORDER PROPOSAL NO. DL #12 (RCP-011)

CONTRACT NO. NH1101 (012)

*Revised Aesthetic Paint Scheme (Revised)*

**SECTION V (Reviewed by TxDOT Representative)**

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TxDOT Representative	Date
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Comments:

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Manor Expressway Phase II Project  
Project No.: NH1101 (012)  
CSI: 0114-02-053

### CHANGE ORDER REQUEST

CHANGE ORDER PROPOSAL NO.  
*Revised Aesthetic Paint Scheme (Revised)*  
**SECTION VI (Approved by CTRMA)**

***DL #12 (RCP-011)***

CONTRACT NO. NH1101 (012)

CHANGE ORDER ISSUED:

Yes

No

\_\_\_\_\_  
CTRMA Executive Director

\_\_\_\_\_  
Date

Comments:

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