

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

RESOLUTION NO. 07-22

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") was created pursuant to the request of Travis and Williamson Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, Chapter 370 of the Texas Transportation Code authorizes regional mobility authorities to develop projects through the use of comprehensive development agreements ("CDAs"); and

WHEREAS, the CTRMA solicited proposals for the development of 183-A and in Resolution No. 04-43, dated September 8, 2004, the Board of Directors approved the selection of Hill Country Constructors as the Developer for 183-A, and the CTRMA and Hill Country Constructors entered into a CDA effective November 29, 2004 for the 183-A Turnpike Project; and

WHEREAS, the work performed under the CDA requires oversight by the General Engineering Consultant retained by the CTRMA (the "GEC"); and

WHEREAS, the CDA includes a process for the consideration and development of potential change orders for aspects or portions of the work performed under the CDA which might warrant adjustment to the Development Price or the contractual deadlines for performance by the Developer; and

WHEREAS, the change order process includes consideration of potential changes or revisions caused by several sources or events, including certain requests for changes by the CTRMA, certain otherwise undiscovered matters affecting the 183-A Project, as well as other items more fully set forth in the CDA; and

WHEREAS, the CDA provides that all change orders be formally agreed to by the CTRMA and the Developer, and that except those involving an amount up to and including \$50,000.00 as set forth in Resolution No. 05-46 dated June 29, 2005, the Board must approve any change order; and

WHEREAS, the CTRMA, the GEC and the Developer, pursuant to the change order process set forth in the CDA, have determined that the construction by the Developer of a subdivision wall along the right of way line of the 183-A project adjacent to the Block House Creek and Ridgewood South subdivisions is appropriate and requires the issuance of Change Order No. 19, in accordance with the terms attached hereto as Attachment "A"; and

WHEREAS, the design of the subdivision wall is not in final form as of the date of this Resolution; however, it has been determined that the construction of the wall, including necessary fill and grading as well as other actual construction costs, but not including the Developer's related overhead costs, shall not exceed \$1,550,838.00, and it is the desire of the Board that the work move forward in finalizing the design of the subdivision wall as well as finalizing Change Order No. 19.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the terms of Change Order No. 19 as set forth and in accordance with Attachment "A" attached hereto and hereby authorizes staff to finalize the design of the subdivision wall and further authorizes the Executive Director to finalize the terms associated with Change Order No. 19 and execute Change Order No. 19 as appropriate; and


BE IT FURTHER RESOLVED, that upon proper execution by all of the appropriate parties in accordance with the CDA, Change Order No. 19 shall be made an amendment to the Contract Documents, as defined in the CDA, as of the date that Change Order No. 19 is fully executed.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 30th day of May, 2007.

Submitted and reviewed by:

Approved:


Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority


Lowell Lebermann
Vice-Chairman, Board of Directors
Resolution Number 07-22
Date Passed 5/30/07

Attachment "A"

Copy of Change Order No. 19 Memorandum and Summary



CENTRAL TEXAS
Regional Mobility Authority

**Change Order No. 019 Summary
Subdivision Walls Construction for the Block House Creek
and Ridgewood South Subdivisions**

Description

This change order (CO) No. 019 is for the construction of the Block House Creek and Ridgewood South Subdivision Walls. The change order amount also includes additional fill and grading for the future shared use path along these subdivisions that will be utilized as a staging and construction path for the subdivision walls. Other included items are temporary fencing for the private property owners during construction and sod replacement of disturbed areas in the backyards of the residents after completion of the walls.

Justification

The CTRMA Board of Directors approved subdivision walls for the Block House Creek and Ridgewood South subdivisions on August 31, 2005 with Resolution 05-59.

Price

Not to exceed \$1,550,838.00