

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

RESOLUTION NO. 14-088

**APPROVING A CHANGE ORDER WITH CENTRAL TEXAS MOBILITY
CONSTRUCTORS, LLC, TO FOR EASTERN TERMINUS GEOMETRIC REVISIONS.**

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, CTMC made construction revisions to the eastern terminus of the Project including revisions to the TR-20 ramp to provide safer ingress and egress from Manor New Tech High School, reconstructing driveways for Manor New Tech High School, and constructing a revised eastern terminus to provide for a proper tie-in to the Texas Department of Transportation's impending roadway project in Manor; and

WHEREAS, the Executive Director has negotiated and recommends approval of the proposed change order for the construction revisions to the eastern terminus of the Project 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 \$1,180,548.78, 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 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, to include all exhibits referenced therein.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 19th day of November, 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: 14-088
Date Passed: 11/19/14

EXHIBIT 1

PROPOSED CHANGE ORDER WITH

CENTRAL TEXAS MOBILITY CONSTRUCTORS

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

Manor Expressway Phase II Project

CHANGE ORDER NUMBER: 17

Estimated Cost \$0.00

TABLE A: Force Account Work and Materials Placed into Stock

	LABOR	QTY	HOURLY	TOTAL	EQUIPMENT	DAYS	HOURLY RATE	TOTAL
	ZE							

TABLE B: Contract Items

CHANGE ITEM	REASON CODE	DESCRIPTION	UNIT	ORIGINAL + PREVIOUSLY REVISED			NEW			OVERRUN/ UNDERRUN
				QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST	
EXTRA WORK ITEM	REASON CODE	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	ITEM COST	QUANTITY	UNIT PRICE	ITEM COST	OVERRUN/ UNDERRUN
XXX-XXXX	4B	SURVEY	HR			\$ 85.00	\$ 199.37	\$ 16,946.65	\$ 16,946.65	
XXX-XXXX	4B	QUALITY CONTROL	HR			\$ 165.00	\$ 111.71	\$ 18,432.20	\$ 18,432.20	
XXX-XXXX	4B	DESIGN COSTS	LS			\$ 1.00	\$ 103,914.86	\$ 103,914.86	\$ 103,914.86	
104-2017	4B	REMOVING CONC (DRIVEWAYS)	SY			\$ 397.40	\$ 15.50	\$ 6,159.70	\$ 6,159.70	
104-2021	4B	REMOVING CONC (CURB)	LF			\$ 500.00	\$ 6.31	\$ 3,155.00	\$ 3,155.00	
105-2008	4B	REMOVING STAB BASE AND ASPH PAV (6")	SY			\$ 418.71	\$ 1.77	\$ 741.12	\$ 741.12	
105-2022	4B	REMOVING STAB BASE AND ASPH PAV (13")	SY			\$ 8,175.00	\$ 7.49	\$ 61,230.75	\$ 61,230.75	
133-2002	4B	EMBANKMENT (FINAL) (DEMS CONT) (TY A)	CY			\$ 8,640.00	\$ 9.23	\$ 88,962.68	\$ 88,962.68	
150-2002	4B	BLADING	HR			\$ 60.00	\$ 130.00	\$ 7,800.00	\$ 7,800.00	
164-2007	4B	BROADCAST SEED (PERM) (URBAN) (CLAY)	SY			\$ 5,080.00	\$ 0.30	\$ 1,524.00	\$ 1,524.00	
169-2001	4B	SOIL RETENTION BLANKETS (CL) (TY A)	SY			\$ 5,080.00	\$ 0.95	\$ 4,826.00	\$ 4,826.00	
193-2006	4B	VEGETATIVE WATERING	MG			\$ 110.00	\$ 38.85	\$ 4,273.50	\$ 4,273.50	
247-2382	4B	FL BS (CMP IN PLC) (TYA OR) (6")	SY			\$ 397.40	\$ 29.14	\$ 11,580.24	\$ 11,580.24	
275-2002	4B	CEMENT TREAT (BEST MATL) (6")	SY			\$ 19,480.00	\$ 2.10	\$ 40,908.00	\$ 40,908.00	
276-2057	4B	CEM TRI (PLMT M) (CL LNTY) (AVOR S) (FN POS) (6")	SY			\$ 19,480.00	\$ 2.21	\$ 43,050.80	\$ 43,050.80	
310-2002	4B	PRIME COAT (A-E)	GAL			\$ 1,241.00	\$ 3.68	\$ 4,566.88	\$ 4,566.88	
400-2007	4B	STRUCT EXCAV (SPECIAL)	CY			\$ 5.00	\$ 45.51	\$ 227.55	\$ 227.55	
410-2029	4B	DRILL SHAFT (ROWY HL POLE) (30")	LF			\$ 18.00	\$ 128.00	\$ 2,288.00	\$ 2,288.00	
420-2001	4B	CL A CONC (MISC)	CY			\$ 70.00	\$ 350.00	\$ 24,500.00	\$ 24,500.00	
432-2039	4B	REPRAP (MOWSTRIP) (1 R)	CY			\$ 80.00	\$ 213.20	\$ 17,056.00	\$ 17,056.00	
450-2192	4B	RAIL (TY 138) (RPL)	LF			\$ (760.95)	\$ 28.91	\$ (21,999.06)	\$ (21,999.06)	
464-2003	4B	RC PIPE (CL 24 IN)	LF			\$ 48.00	\$ 175.63	\$ 8,430.37	\$ 8,430.37	
464-2005	4B	RC PIPE (CL 18 IN)	LF			\$ 25.00	\$ 210.27	\$ 5,256.72	\$ 5,256.72	
465-2256	4B	INLET (COMPL) (OROP) (TY AD) (AUS)	EA			\$ 1.00	\$ 29,843.26	\$ 29,843.26	\$ 29,843.26	
465-2081	4B	INLET (COMPL) (ORATE) (TY U)	EA			\$ (2.00)	\$ 2,075.93	\$ (4,151.86)	\$ (4,151.86)	
465-2175	4B	INLET (COMPL) (OROP) (TY U) (GRATE)	EA			\$ 2.00	\$ 14,832.18	\$ 29,664.36	\$ 29,664.36	
465-2262	4B	INLET (COMPL) (OROP) (TY U) (3 GRATE)	EA			\$ 1.00	\$ 19,667.94	\$ 19,667.94	\$ 19,667.94	
465-2082	4B	INLET (COMPL) (ORATE) (TY L-G)	EA			\$ 2.00	\$ 11,425.48	\$ 22,850.95	\$ 22,850.95	
498-2007	4B	REMOVE STR (PIPE)	LF			\$ 20.00	\$ 187.70	\$ 3,754.03	\$ 3,754.03	
498-2018	4B	REMOVE STR (CONC)	EA			\$ 1.00	\$ 15,135.07	\$ 15,135.07	\$ 15,135.07	
500-2001	4B	MOBILIZATION	LS			\$ 1.00	\$ 18,200.00	\$ 18,200.00	\$ 18,200.00	
502-2002	4B	BARR, SIGNS & TRAF HANDLE (TY 1)	EA			\$ 5.00	\$ 9,680.53	\$ 48,402.63	\$ 48,402.63	
512-2004	4B	PORT CTB (FUR & INST) (SINGL SLP) (TY 1)	LF			\$ 968.00	\$ 26.14	\$ 25,301.60	\$ 25,301.60	
512-2040	4B	PORT CTB (REMOVE) (SINGL SLP) (TY 1)	LF			\$ 968.00	\$ 21.20	\$ 20,523.28	\$ 20,523.28	
514-2004	4B	PERM CONC TRF BARR (SOL SLP) (TY 1) (42")	LF			\$ 720.00	\$ 113.96	\$ 82,052.29	\$ 82,052.29	
529-2002	4B	CONC CURB (TY 2)	LF			\$ 625.00	\$ 10.74	\$ 6,712.25	\$ 6,712.25	
530-2010	4B	DRIVEWAYS (CONC)	SY			\$ 397.40	\$ 59.48	\$ 23,637.35	\$ 23,637.35	
531-2010	4B	CURB RAMPS (TY 1)	EA			\$ (3.00)	\$ 865.10	\$ (2,595.55)	\$ (2,595.55)	
540-2001	4B	MTL W-BEAM GD FEM (TM POST)	LF			\$ 2,600.00	\$ 13.83	\$ 35,958.00	\$ 35,958.00	
540-2005	4B	TERMINAL ANCHOR SECTION	EA			\$ 3.00	\$ 1,035.83	\$ 3,107.49	\$ 3,107.49	
540-2016	4B	MTL SM GD FH TRANS (THRD) (RND TIM POST)	EA			\$ 2.00	\$ 1,087.70	\$ 2,175.40	\$ 2,175.40	
540-XXXX	4B	MTL SM GD FH TRANS (30") (RND TIM POST)	EA			\$ 2.00	\$ 1,817.66	\$ 3,635.32	\$ 3,635.32	
542-2001	4B	REMOVING METAL BEAM GUARD FENCE	LF			\$ 1,500.00	\$ 1.05	\$ 1,575.00	\$ 1,575.00	
545-2001	4B	CRASH CUSH ATTEN (RNTL)	EA			\$ (1.00)	\$ 13,650.00	\$ (13,650.00)	\$ (13,650.00)	
610-2097	4B	REMOVE RD IL ASM (FOUNDATION ONLY)	EA			\$ 1.00	\$ 157.50	\$ 157.50	\$ 157.50	
610-2016	4B	CONDOT (PVC) (SCHD 40) (2")	LF			\$ 585.00	\$ 7.11	\$ 4,159.35	\$ 4,159.35	
620-2011	4B	ELEC CONDR (NO. 6) BARE	LF			\$ 1,665.00	\$ 0.84	\$ 1,398.60	\$ 1,398.60	
620-2012	4B	ELEC CONDR (NO. 6) INSULATED	LF			\$ 1,665.00	\$ 0.84	\$ 1,398.60	\$ 1,398.60	
634-2007	4B	GROUND BOX TY A (122311)	EA			\$ 1.00	\$ 609.00	\$ 609.00	\$ 609.00	
666-2142	4B	REF PAV MKR TY B (M) 4" (BRK)	LF			\$ (428.00)	\$ 0.53	\$ (227.37)	\$ (227.37)	
666-2145	4B	REF PAV MKR TY B (M) 4" (SLD)	LF			\$ 4,638.00	\$ 0.14	\$ 635.32	\$ 635.32	
666-2153	4B	REF PAV MKR TY B (M) 4" (SLD)	LF			\$ (154.00)	\$ 0.40	\$ (61.60)	\$ (61.60)	
666-2157	4B	REF PAV MKR TY B (M) 8" (SLD)	LF			\$ 187.00	\$ 4.20	\$ 785.40	\$ 785.40	
672-2017	4B	REF PAV MKR TY B-C-R	EA			\$ 52.00	\$ 3.63	\$ 188.76	\$ 188.76	
3267-XXXX	4B	D-GR HMA TY-A P078-22	TON			\$ 174.80	\$ 87.15	\$ 15,233.82	\$ 15,233.82	
3268-2000	4B	D-GR HMA TY-B P044-22	TON			\$ 1,917.62	\$ 60.10	\$ 115,248.08	\$ 115,248.08	
3268-2047	4B	D-GR HMA TY-D SAC-A P078-22	TON			\$ 358.81	\$ 87.20	\$ 31,288.42	\$ 31,288.42	
3268-XXXX	4B	D-GR HMA TY-B P044-22 (BLADE LAY)	TON			\$ 232.58	\$ 92.17	\$ 21,436.90	\$ 21,436.90	
3268-XXXX	4B	D-GR HMA TY-D SAC-A P078-22 (W/IRON BRK)	TON			\$ 1,258.28	\$ 108.06	\$ 135,964.05	\$ 135,964.05	
3271-2002	4B	STONE-MTL-ASPH SMA-C SAC-A P078-22	TON			\$ 253.00	\$ 108.00	\$ 27,324.00	\$ 27,324.00	
TOTALS						\$		\$ 1,180,548.78	\$ 1,180,548.78	

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. 2E 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. 17 – 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
Incentive	\$ 540,000.00	Early Completion Incentive - Substantial Completion	\$ 207,203,685.91
C.O. #1	\$ 1,480,445.71	Revised Mainlane and Frontage Road Pavement Sections	\$ 208,684,131.62
C.O. #2	\$ 9,010.88	Force Majeure Event - Discovery of Cistern	\$ 208,693,142.50
C.O. #3	\$ 41,339.71	Broadcast Seeding and Watering at US 183 Interchange	\$ 208,734,482.21
C.O. #4	\$ 187,404.28	Mainlane Column Protection in SH 130 median	\$ 208,921,886.49
C.O. #5	\$ 108,388.96	Incorporation of Revised MBGF Standards	\$ 209,030,275.45
C.O. #6	\$ 2,222,778.82	Revision to Aesthetic Paint Scheme	\$ 211,253,054.27
C.O.#7	\$ 194,167.48	LED Illumination Fixtures; Deletion of OSB	\$ 211,447,221.75
C.O. #8	\$ 296,754.77	Ramp #1 Rail & MBGF Revisions	\$ 211,743,976.52
C.O.#9	\$ 700,317.37	Stone & Concrete Riprap at US 183 Interchange	\$ 212,444,293.89
C.O.#10	\$ 186,593.97	Eastbound Frontage Road Pavement Widening Section Revision	\$ 212,630,887.86
C.O.#11	\$ 129,147.91	US 183 Southbound Ramp Revisions	\$ 212,760,035.77
C.O.#12	\$ 278,377.28	Marcasite and Deck Drain Repair	\$ 213,038,413.05
C.O.#13	\$ 80,721.51	Presidential Visit to Project Site	\$ 213,119,134.56
C.O.#14	\$ 1,807,432.32	Additional Asphalt Surface Course	\$ 214,926,566.88
C.O.#15	\$ 89,910.55	SH 130 Hardscaping	\$ 215,016,477.43
C.O.#16	\$ 347,534.66	Wetland Impact Minimization	\$ 215,364,012.09
C.O.#17	\$ 1,180,548.78	Eastern Terminus Geometric Revisions	\$ 216,544,560.87

Summary Prepared by: 
 Daniel W. Freeman, PE

11/5/14
 Date

**Change Order #17
Table of Contents**

- Exhibit A – CTRMA Independent Estimate**
- Exhibit B – Directive Letter 08 (“DL-08”)**
- Exhibit C – CTMC Response to DL-08**
- Exhibit D – Revised Plans**

This change order is the result of a CTRMA-Directed Change to provide a safer ingress/egress point for the Manor New Tech High School. Ramp TR-20, the eastbound ramp that transitions eastbound traffic from the tolled facility to the existing US 290E facility, was revised to prevent exiting school traffic from crossing the eastbound lanes to enter the westbound lanes. To further prevent this movement, the existing crossover was removed. Both of the Manor New Tech High School driveways were reconstructed, and the eastbound frontage road was revised to provide a "forced" right-in and right-out condition. Additionally, the far eastern terminus of the project was revised to transition to an impending TxDOT project in Manor.

Atkins, the General Engineering Consultant for the Manor Expressway Project, performed an independent estimate for the purpose of negotiating this change order. Atkins performed a "level of effort" estimate for the work associated with this change; quantities were independently verified. Contractual mark-ups were applied to this independent estimate. This independent estimate is included in this Exhibit A. Atkins' independent estimate results in a cost increase to the Project in the amount of \$1,416,959.06. After negotiations with CTMC, this change results in an actual additional cost to the Project in the amount of \$1,180,548.78.