

# TEXAS DEPARTMENT OF TRANSPORTATION

CHANGE ORDER NUMBER: 12

(Supporting Supplemental Agreement No. N/A )

## Advance Funding Agreement (Third Party Funding) Information

(100% of \$31,018.48) + E&C

*This form is used when the subject change order involves funding by a source other than TxDOT/U.S. DOT.*

1. Outside funding provided by:

Fort Bend County

(Outside Entity's Legal Name)

2. Type of outside funding agreement for this change: [ Check one ]

☒ Existing ☐ Amended ☐ New

3. Indicate the type and amount of funding:

☐ Fixed Price (Lump Sum) (Estimated Amount: \_\_\_\_\_)

☒ Actual Cost (Estimated Amount: \$33,174.26 )

Contract Items (Bid Items):

\$31,018.48

E&C ( 6.95% )\*

\$2,155.78

Subtotal

\$33,174.26

Indirect Cost ( 0.00% )\*\*

\$0.00

**TOTAL**

\$33,174.26

CCSJ: 0912-34-144

Project: STP 2010(596)MM

Highway: CS

Limits: Project limits

City CIP No: \_\_\_\_\_

County: Fort Bend

District: Houston

Contract Number: \_\_\_\_\_

I hereby approve the modifications covered by Form CO for this Change Order and agree to finance the additional costs, if any, as reflected by this form.

Advance Funding Date \_\_\_\_\_

By \_\_\_\_\_

Typed/Printed Name

Typed/Printed Title

\* The percentage (%) for E&C (Engineering and Contingencies) charges varies from project to project from approximately 6% to 11% depending on the contract amount of the project. Projects with higher contract amount will have the lower rate of E&C charge. For a specific project, E&C rate (%) can be derived from the cost of "Engineering and Contingencies" in the "Estimated Cost" of the project.

\*\* Use the statewide district rate as established by Finance Division each year. This line is for Service Project only, unless otherwise specified in the Advance Funding Agreement. See Stand Alone Manual Notice 98-2 for instructions.

Advance Funding for this Change Order has been arranged:

District Engineer

Date

Typed/Printed Name: Quincy D. Allen, P.E.



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REPORT DATE: 12/8/2017 10:41:45AM

CONTRACT ID: 091234144  
PROJECT: STP 2010(596)MM  
CONTRACT: 12143003  
AWARD AMOUNT: \$20,864,455.45  
PROJECTED AMOUNT: \$20,947,455.45  
ADJ PROJECTED AMT: \$21,412,762.60  
PEND ADJ PROJ AMT: \$21,412,762.60  
CONTRACTOR: WILLIAMS BROTHERS CONSTRUCTION CO.,  
INC.  
CO AMOUNT: \$31,018.48  
CO TYPE: NON-PARTICIPATING  
3RD PARTY AMOUNT: \$31,018.48  
APPRV LEVEL: OVERRIDE

HIGHWAY: CS  
DISTRICT: 12  
COUNTY: FORT BEND  
AREA ENGINEER: Michelle Milliard, P.E.  
AREA NUMBER: 050

DESCRIPTION: AT & T CONFLICT IDENTIFICATION WORK  
REASON: 6C - 6C-UTILITIES NOT CLEAR  
SECONDARY REASON(S):

Functions:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Extra Work | <input type="checkbox"/> Force Account         |
| <input type="checkbox"/> Zero Dollar           | <input type="checkbox"/> Final Quantity        |
| <input type="checkbox"/> Overrun/Underrun      | <input type="checkbox"/> Change Project Limits |
| <input type="checkbox"/> Time Adjustment       | <input type="checkbox"/> Delete/Add CSJ        |
| <input type="checkbox"/> Stock Account         |  |

**DESCRIBE THE REASON FOR THE CHANGE ORDER AND WHAT IS BEING CHANGED. WHEN NECESSARY, INCLUDE EXCEPTIONS TO THIS AGREEMENT:**

This change order provides for adding item 9608-2040-000 UNIQUE CHANGE ORDER ITEM 40, CONFLICT IDENTIFICATION WORK, (DOL=LS) to pay for identifying AT&T Conflict locations along drainage work area on Trammel Fresno Road in Fort Bend County.

The contract plans were designed by BKL Inc. This construction work provides for the construction of widening a non- freeway consisting of grading, widening structure, signal, base, concrete pavement and pavement markings.

The Contractor was required to install drainage system consisting of various sizes of box culverts, pipes and riprap at outfalls from Sta. 58+48 to Sta. 220+00 as proposed in plan sheet numbers 232 through 255 (for reference purpose only). However, during such installation of drainage system, the contractor encountered the AT & T utility infrastructures such as man-holes, underground cables. In order to avoid damages to the utility structure, the contractor used additional labor and equipment to locate such conflict during the drainage system installation work. The contractor, Williams Brothers submitted a request letter to reimburse such additional cost amounting to \$31,018.48 along with necessary supporting papers.

The contractor submitted price justification for the extra work which consists of identifying conflict location on various days. This price submittal also includes the necessary supporting papers for rental rates and applicable markups. This office evaluated and concurred that the cost associated with this extra works are appropriate for the amount of work to be done. Consequently, the cost of this extra work is \$31,018.48. Subsequently, our office is now proposing to add item 9608-2040-000 UNIQUE CHANGE ORDER ITEM 40, CONFLICT IDENTIFICATION WORK, (DOL=LS) at unit price of \$31,018.48/LS. It is to be noted that the unit of measure DOL is replaced by LS.

This proposed work is unique in nature. This rate is not comparable to any State or Houston District Average Low Bid Price, thus this has not been provided.

Therefore, it is proposed to add a new item 9608-2040-000 UNIQUE CHANGE ORDER ITEM 40, CONFLICT IDENTIFICATION WORK, (DOL=LS) at unit price of \$31,018.48/LS.

Fort Bend County is third party participant at 100%.

Change Order Work Limits: Sta. 100+00 to Sta. 198+00.

**ADDITIONAL TIME NOT NEEDED**

"By signing this change order, the contractor 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 and that this agreement is made in accordance Item 4 and the Contract. Exceptions should be noted in explanation above."

THE CONTRACTOR

BY:		DATE
TYPED/PRINTED NAME:		DATE
TYPED/PRINTED TITLE:		DATE
AREA ENGINEER:		DATE
AREA ENGINEER'S SEAL:		

DISTRICT ENGINEER:		DATE
DIRECTOR, CONSTRUCTION DIVISION:		DATE
DEPUTY EXECUTIVE DIRECTOR:		DATE
FHWA:		DATE

CONTRACT ID 091234144

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## CONTRACT ITEMS

PROJECT NBR 091234144

[illegible]