

# TEXAS DEPARTMENT OF TRANSPORTATION

CHANGE ORDER NUMBER: 12 (Supporting Supplemental Agreement No. N/A )

## Advance Funding Agreement (Third Party Funding) Information (100% of \$15,119.14) + 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: \$16,169.92 )

Contract Items (Bid Items):	<u>\$15,119.14</u>	
E&C                      ( <u>6.95%</u> )*	<u>\$1,050.78</u>	
Subtotal	<u>\$16,169.92</u>	
Indirect Cost                      ( <u>0.00%</u> )**	<u>\$0.00</u>	
<b>TOTAL</b>	<u>\$16,169.92</u>	

**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:

\_\_\_\_\_ Date \_\_\_\_\_

District Engineer

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



**CHANGE ORDER NBR.**

**12**

**REPORT DATE: 12/7/2018 10:00:02AM**

**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:** \$21,463,161.49  
**PEND ADJ PROJ AMT:** \$21,463,161.49  
**CONTRACTOR:** WILLIAMS BROTHERS CONSTRUCTION CO.,  
INC  
**CO AMOUNT:** \$15,119.14  
**CO TYPE:** NON-PARTICIPATING  
**3RD PARTY AMOUNT:** \$15,119.14  
**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 one new item to pay for identifying utility Conflict locations along drainage work area on Trammel Fresno Road in Fort Bend County.

The contract plans were designed by BKI 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 and other utility structures such as waterline, signal line and gas line. 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 \$31,018.46 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. However, upon the request from the Engineers, RPS Group on behalf of Fort Bend County, the submitted price was broken down to two change orders namely one for AT & T Conflicts amounting to \$15,119.14 and the second change order for other conflicts amounting to \$15,899.31 as Change Order No. 29 (for reference only).

Consequently, the cost of this extra work for AT & T Conflict is \$15,119.14. Subsequently, our office is now proposing to add item 9608-2040-000 UNIQUE CHANGE ORDER ITEM 40, AT & T CONFLICT IDENTIFICATION WORK, (DOL=LS) at unit price of \$15,119.14/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, AT & T CONFLICT IDENTIFICATION WORK, (DOL=LS) at unit price of \$15,119.14/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

CHANGE ORDER NBR. 12

CONTRACT ITEMS

PROJECT NBR 091234144

CATG NBR	LINE ITEM	ITEM CODE	SP NBR	DESCRIPTION	UNIT	UNIT PRICE	ORIG + PREV REV QTY	QTY THIS CO	NEW QTY	AMOUNT THIS CO
001	1396	96082040	000	UNIQUE CHANGE ORDER ITEM 40	DOL	15,119.14000	0.000	1.000	1.000	\$15,119.14
		CO DESCR		CO 12 :AT & T CONFLICT IDENTIFICATION WORK (DOL=LS)						
		ADDTL CO DESCR 1		CO 12 :AT & T CONFLICT IDENTIFICATION WORK (DOL=LS)						
									<b>CHANGE ORDER AMOUNT</b>	<b>\$15,119.14</b>