

# TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 39

## Third Party Funding Notification Sheet

This form is used when the subject change order involves funding by a source other than TxDOT/U.S. DOT, and involves third parties who are providing funding under an Advance Funding Agreement or Donation Agreement.

1. Outside funding provided by:

Fort Bend County

(Outside Entity's Legal Name)

2. Type of outside funding agreement for this change:

☐ Existing ☐ Amended ☐ New  
[ Check one ]

3. Indicate the type and amount of funding:

☐ Fixed Price (Lump Sum) (Estimated Amount \$6,290.93 )

☒ Actual Cost

(a) Contract Items (Bid Items):

\$5,882.12

(b) E&C\*:

(a) x  $\frac{0.0695}{\text{enter \%}}$  = \$408.81

**TOTAL**

\$6,290.93

**CCSJ:** 0912-34-144

**Project:** STP 2010 (596) MM

**Highway:** Trammel Fresno Road

**County:** Fort Bend

**District:** Houston

**Contract  
Number:**

### Use as needed:

I hereby acknowledge notification of the modifications covered by this Change Order.

Date

By

Typed/Printed Name

Typed/Printed Title

\* The percentage (%) for E&C (Engineering and Contingencies) charges varies from project to project depending on the contract amount of the project. Projects with a higher contract amount will have a 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.

Funding for this Change Order has been arranged:

TxDOT Representative

Date

Typed/Printed Name: Eliza C. Paul, P.E.



CHANGE ORDER NBR.

39

REPORT DATE: 2/3/2020 3:24:20PM

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: \$22,473,430.35  
PEND ADJ PROJ AMT: \$22,473,430.35

CONTRACTOR: WILLIAMS BROTHERS CONSTRUCTION CO.,  
INC  
CO AMOUNT: \$9,619.75  
CO TYPE: FEDERAL PARTICIPATING  
3RD PARTY AMOUNT: \$5,882.12  
APPRV LEVEL: OVERRIDE

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

DESCRIPTION:  
REASON:  
SECONDARY REASON(S):

SHORT RADIUS METAL BM GD FENCE AT MUSTANG BAYOU  
3L - 3L-REVISING SAFETY MEASURES

Functions:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Extra Work       | <input type="checkbox"/> Force Account         |
| <input type="checkbox"/> Zero Dollar                 | <input type="checkbox"/> Final Quantity        |
| <input checked="" 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 three new items to the contract for installing new guard rail system at Mustang Bayou on Trammel Fresno Road in Fort Bend County.

The contract plans were designed by BKI Inc and revised by RPS Klotz via change order number 6 (for reference only). This construction work provides for the construction and widening a non- freeway consisting of grading, widening structure, signal, base, concrete pavement and pavement markings.

The Contractor is required to install 4 units of single guard rail end terminal at Mustang Bayou on Trammel Fresno Road from Sta. 199+50 to Sta. 201+44 as proposed in the plan sheet numbers 153 (for reference purpose only). However, the contractor could not install the MASH compliant end treatment system at north east corner of Mustang Bayou as required by change order number 32 (for reference purpose only) due to the existing driveways number 89 and 89A. In order to provide access to these driveway, this office provided the revised sheet number 153A to the contractor to install driveway radius assembly and instructed the contractor to submit the price for installing radius assembly.

The contractor submitted the price for this work including the invoice and equipment rental rate sheets. This office evaluated the submitted price and concurred that the cost associated with this extra work is appropriate for the amount of work to be done. The submitted cost includes the price for radius, driveway terminal anchor section and transition plate from 31 inch to 28 inch. Consequently, the cost of this extra work is \$3,642.29. Subsequently, our office is now proposing to add item 0540--2014-000, SHORT RADIUS with 25 LF at unit price of \$48.22/LF, add item 0540-2015-000, DRIVEWAY TERMINAL ANCHOR SECTION with 1 unit at unit price of \$1,541.71/EA and add item 0540-2035 MTL BM GD FEN TRANS (31"-28") with 1 unit at unit price of \$895.08/EA.

The proposed unit rates are considered to be fair and reasonable, as the work is applicable to this area only. This item is not comparable to any average low bid prices, thus these have not been provided.

Therefore, it is proposed to add item 0540--2015-000, MTL W-BEAM GD FEN(TIM POST) RADIUS RAIL with 25 LF at unit price of \$48.22/LF, add item 0540-2036-000, DRIVEWAY TERMINAL ANCHOR SECTION with 1 unit at unit price of \$1,541.71/EA and add item 0540-6035 MTL BM GD FEN TRANS (31"-28") with 1 unit at unit price of \$895.08/EA.

The revision covered by this change order is estimated to result in an overrun of the funds authorized for this project in the amount of \$3,642.29. Fort Bend County is the third party participant at 61.1463% as per Advance Funding Agreement and amounts to \$2,227.13.

Revised Plan Sheet No. 153A.

Change Order Work Limits: Sta. 199+50 to Sta. 201+44.

**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**

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	0555	05402001 CO DESCR	031	MTL W-BEAM GD FEN (TIM POST) CO 39 : ADD QUANTITY AT DRIVEWAY FOR MASH COMPLIANT SGT	LF	32.00000	100.000	12.500	112.500	\$400.00
001	0565	05402011 CO DESCR	031	MTL BEAM GD FEN TRANS (THRIE-BEAM) CO 39 : ADD QUANTITY AT DRIVEWAY FOR MASH COMPLIANT SGT	EA	1,935.00000	4.000	1.000	5.000	\$1,935.00
001	0567	05402015 CO DESCR ADDTL CO DESCR 1	000	MTL W-BEAM GD FEN(TIM POST)RADIUS RAIL CO 39: RADIUS RAIL AT DRIVEWAY CO 39: RADIUS RAIL AT DRIVEWAY	LF	48.22000	0.000	25.000	25.000	\$1,205.50
001	0568	05402036 CO DESCR ADDTL CO DESCR 1	000	DRIVEWAY TERMINAL ANCHOR SECTION CO 39: RADIUS RAIL AT DRIVEWAY CO 39: RADIUS RAIL AT DRIVEWAY	EA	1,541.71000	0.000	1.000	1.000	\$1,541.71
001	0569	05406035 CO DESCR ADDTL CO DESCR 1	000	MTL BM GD FEN TRANS (31"-28") CO 39: RADIUS RAIL AT DRIVEWAY CO 39: RADIUS RAIL AT DRIVEWAY	EA	895.08000	0.000	1.000	1.000	\$895.08
001	0579	05442001 ADDTL CO DESCR 1	000	GUARDRAIL END TREATMENT (INSTALL) CO 32: MASH COMPLIANT NEW ITEM	EA	3,642.46000	2.000	1.000	3.000	\$3,642.46
CHANGE ORDER AMOUNT										\$9,619.75