

TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 40

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 \$7,490.29)

Actual Cost

(a) Contract Items (Bid Items):

\$7,003.54

(b) E&C*:

(a) x $\frac{0.0695}{\text{enter \%}}$ = \$486.75

TOTAL

\$7,490.29

CCSJ:	<u>0912-34-144</u>
Project:	<u>STP 2010 (596) MM</u>
Highway:	<u>Trammel Fresno Road</u>
County:	<u>Fort Bend</u>
District:	<u>Houston</u>
Contract Number:	<u></u>

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:	
<u>TxDOT Representative</u>	<u>Date</u>
Typed/Printed Name: <u>Eliza C. Paul, P.E.</u>	



CHANGE ORDER NBR.

40

REPORT DATE: 5/12/2020 8:53:23AM

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: \$22,535,865.68
PEND ADJ PROJ AMT: \$22,535,865.68
CONTRACTOR: WILLIAMS BROTHERS CONSTRUCTION CO.,
INC
CO AMOUNT: \$9,120.45
CO TYPE: FEDERAL PARTICIPATING
3RD PARTY AMOUNT: \$7,003.54
APPRV LEVEL: OVERRIDE

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

DESCRIPTION: ADD ITEMS FOR MOWING AND SIGNINGS
REASON: 3L - 3L-REVISING SAFETY MEASURES
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 three new items to the contract for mowing along the project width and installing sign on Trammel Fresno Road in Fort Bend County.

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

Addition of Mowing Item

The Contractor is required to install the block sodding and drilled seeds on Trammel Fresno Road from Sta. 58+48 to Sta. 220+00 as proposed in the plan sheet numbers 141 through 174 (for reference purpose only). The contractor began installing the block sodding and drilled seeding from March 2019 and almost completed the installation work on March 2020. The grasses on the block sodded and drilled seeded areas started growing up and caused sight problem to the travelling public. In order to keep safe sight distance, the grown up vegetation needed to be mowed and trimmed. However, there is no bid item in the contract for this work. In order to address this issue, the contractor submitted a price proposing to use April 2020 Statewide 12 month average low bid price at \$3,672.05/CYC.

This office evaluated the submitted price proposal to use the Statewide 12 month average low bid price for April 2020 and concurred that the cost associated with this extra work is appropriate for the amount of work to be done. Consequently, the cost of this extra work is \$3,672.05. Subsequently, our office is now proposing to add item 0730--2113-000, FULL- WIDTH MOWING at unit price of \$3,672.05/CYC.

Addition of Signing Items

The Contractor is required to install the signs on Trammel Fresno Road from Sta. 58+48 to Sta. 220+00 as proposed in the plan sheet numbers 299 through 365 (for reference purpose only). It was noted that the street names of School Road/ Colorado Street has been changed to S. Post Oak Blvd. In order to address this change, the office of Fort Bend County provided the revised sheets 301A, 329A, 339A, 340A and 348A. This office provided these revised sheets to the contractor and instructed to provide a price submittal for this changed signs. The contractor submitted a price for installing these additional signs amounting to \$5,448.40.

This office evaluated the submitted price proposal and concurred that the cost associated with this extra work is appropriate for the amount of work to be done. Consequently, the cost of this extra work is \$5,448.40. Subsequently, our office is now proposing to add item 0644--2026-000, IN SM RD SN SUP&AM TY S80(1) SA(T-2EXT)with 2 EA at unit price of \$1,920.83/EA and add item 9608-2025-000, UNIQUE CHANGE ORDER ITEM 25, SMALL SIGNS ON TRAFFIC SIGNAL (DOL=EA), with 2 EA at unit price of \$803.37/EA. The unit of measure DOL is replaced by 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. However, the proposed prices were supported by the equipment rental sheets, and material invoices.

Therefore, it is proposed to add item 0730--2113-000, FULL- WIDTH MOWING at unit price of \$3,672.05/CYC, add item 0644--2026-000, IN SM RD SN SUP&AM TY S80 (1) SA(T-2EXT)with 2 EA at unit price of \$1,920.83/EA and add item 9608-2025-000, UNIQUE CHANGE ORDER ITEM 25, SMALL SIGNS ON TRAFFIC SIGNAL (DOL=EA), with 2 EA at unit price of \$803.37/EA. The unit of measure DOL is replaced by EA.

The revisions covered by this change order do not require revisions to the original environmental clearances or approval by the Texas Department of Licensing and Regulation. This change order will cause the accumulative amount of change orders to exceed 10 percent of the original contract amount and will require District Engineer approval. 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 \$9,120.45.

Fort Bend County is the third party participant as following percentage as per Advance Funding Agreement and amounts to \$7,003.54 as shown below:

Item Code	Amount (\$)	Fort Bend Participating %	Participating Amount(\$)
0644-2026-000	3,841.66	61.1463	2,349.03
9608-2025-000	1,606.74	61.1463	982.46
0730-2113-009	3,672.05	100.0000	3,672.05
Total	9,120.45		7,003.54

Revised Plan Sheets : 301A, 329A, 339A, 340A & 348A.

Change Order Work Limits: Sta. 58+48 to 220+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. 40

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	0656	06442026	000	IN SM RD SN SUP&AM TYS80(1)SA(T-2EXT) CO DESCR CO 40: ADD ITEM DUE TO REVISED SIGN ADDTL CO DESCR 1 CO 40: ADD ITEM DUE TO REVISED SIGN	EA	1,920.83000	0.000	2.000	2.000	\$3,841.66
001	0978	96082025	000	UNIQUE CHANGE ORDER ITEM 25 CO DESCR CO 40: SIGN ON TRAFFIC SIGNAL, (DOL REPLACED BY EA) ADDTL CO DESCR 1 CO 40: SIGN ON TRAFFIC SIGNAL, (DOL REPLACED BY EA)	DOL	803.37000	0.000	2.000	2.000	\$1,606.74
001	1099	07302113	009	FULL-WIDTH MOWING CO DESCR CO 40: ADD MOWING ITEM ADDTL CO DESCR 1 CO 40: ADD MOWING ITEM	CYC	3,672.05000	0.000	1.000	1.000	\$3,672.05
CHANGE ORDER AMOUNT										\$9,120.45