

TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 03

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 \$3,506.98)

☒ Actual Cost

(a) Contract Items (Bid Items):

\$3,506.98

(b) E&C*:

(a) x $\frac{.0653}{\text{enter \%}}$ = \$229.01

TOTAL

\$3,735.99

CCSJ: 3510-04-055

Project: CC 3510-4-55

Highway: SH 99

County: FORT BEND

District: 12

Contract
Number: 351004055

Use as needed:

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

Date

By

Typed/Printed Name KP George

Typed/Printed Title County Judge

* 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:

**CHANGE ORDER NBR.****3****REPORT DATE: 11/13/2023 11:51:20AM**

CONTRACT ID: 351004055
PROJECT: CC 3510-4-55
CONTRACT: 04233009
AWARD AMOUNT: \$12,117,581.93
PROJECTED AMOUNT: \$12,201,635.94
ADJ PROJECTED AMT: \$12,106,890.75
PEND ADJ PROJ AMT: \$12,106,890.75
CONTRACTOR: STERLING DELAWARE HOLDING COMPANY
CO AMOUNT: \$3,506.98
CO TYPE: NON-PARTICIPATING
3RD PARTY AMOUNT: \$0.00
APPRV LEVEL: OVERRIDE

HIGHWAY: SH 99
DISTRICT: 12
COUNTY: FORT BEND
AREA ENGINEER: Carlos M. Zepeda, Jr., P.E.
AREA NUMBER: 061

DESCRIPTION: ADDED PVMT MARKINGS AND REMOVE BOX CULVERT
REASON: 1B - 1B-INCORRECT PS&E (CONSULTANT DESIGN)
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:

The subject project provides for the construction of the SH 99 southbound frontage road and ramp reversals from Westheimer Pkwy. to Cinco Ranch Blvd. including Continuously Reinforced Concrete Pavement, storm sewer, retaining walls, sound walls, and pavement markings in Fort Bend County.

The subject change order adds new Items of Work as follows:

New LINE NO. 0347, ITEM NO. 0496-6008 REMOVE STR (BOX CULVERT); 60.000 LF; \$51.91 per LF.

NEW LINE NO. 0623 Item No. 0662-6018 WK ZN PAV MRK NON-REMOV (W)(DBL ARW); 2.000 EA; \$196.19 EA.

Per Phase 1 of the traffic control plans, the existing 12-FT lanes at the intersection of the SH 99 southbound frontage road (SBFR) and Westheimer Pkwy are reduced to 11-FT to allow for the placement of low-profile concrete barrier (LPCB) for proposed pavement widening. During the traffic switch, the Contractor realized the existing double turn arrows conflicted with the temporary work zone pavement markings. To mitigate this, the Contractor had to eliminate the conflicting arrows and replace with temporary pavement markings. The item for the temporary double arrows was inadvertently omitted from the Contract.

Per the subject project, the existing open ditch from approx. STA. 2445+00 to 2455+00 (BL SBFR) will be replaced with a closed drainage in-line detention system. This system will replace an existing inlet and headwall connected by 6'x3' reinforced concrete box (RCB) and tie-in to the existing system at approx. STA 2444+48 with a 13'x7' junction box. The Contract contains items for removal of the headwall and inlet but inadvertently omitted the box culvert removal item.

This change order will introduce the inadvertently omitted items to the Contract for future use and provide compensation for those items placed and field measured to date. As noted, the design Engineer-of-Record is consultant TEDSI Infrastructure Group.

These revisions and future additions will be redlined on the project final as-built plan set.

The contractor has submitted the attached cost breakdown. New item of work 0496-6008 REMOVE STR (BOX CULVERT) is below the August 17, 2023 TxDOT statewide 3-month average low bid (ALB). New item of work 0662-6018 WK ZN PAV MRK NON-REMOV (W)(DBL ARW) is 54 percent over the September 11, 2023 ALB but that price is accepted due to the low quantity compared to the ALB. TxDOT has reviewed this submittal and deems it fair and reasonable for the work involved.

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 is estimated to result in an overrun in the amount fund associated with the project in the amount of \$3,506.98 This change order will not cause the accumulative amount of change orders to exceed 10 percent of the original contract amount and will not require District Engineer approval.

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: Ateesh Tiwari Digitally signed by Ateesh Tiwari
DN: E=Ateesh.Tiwari@stlco.com, CN=Ateesh Tiwari,
OU=HOUST, OU=STRLCO - Users, DC=stlco, DC=com
Date: 2023.11.13 12:10:41-0600

	DATE
TYPED/PRINTED NAME:	Ateesh Tiwari 11.13.2023
TYPED/PRINTED TITLE:	Project Manager 11.13.2023
AREA ENGINEER:	DocuSigned by: Carlos M. Zepeda, Jr., P.E. 11/14/2023 999EB2AF5ACE472...
AREA ENGINEER'S SEAL:	

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

DocuSigned by:



CONTRACT ID 351004055

CHANGE ORDER NBR. 3

CONTRACT ITEMS

PROJECT NBR 351004055 (CC 3510-4-55 NOT ELIGIBLE FOR FEDERAL PARTICIPATION)

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	0347	04966008		REMOV STR (BOX CULVERT)	LF	51.91000	0.000	60.000	60.000	\$3,114.60
001	0623	06626018		WK ZN PAV MRK NON-REMOV (W)(DBL ARW)	EA	196.19000	0.000	2.000	2.000	\$392.38
CHANGE ORDER AMOUNT										\$3,506.98

CONTRACT ID 351004055

CHANGE ORDER NBR. 3

FUNDING SOURCES

1. Work Program:	Local	Work Category:	3	Amount:	\$3,506.98
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