

TEXAS DEPARTMENT OF TRANSPORTATION

CHANGE ORDER NUMBER: 16

(Supporting Supplemental Agreement No. N/A)

Advance Funding Agreement (Third Party Funding) Information (100% of \$100,000.00) + 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: \$106,950.00)

Contract Items (Bid Items):	<u>\$100,000.00</u>
E&C (<u>6.95%</u>)*	<u>\$6,950.00</u>
Subtotal	<u>\$106,950.00</u>
Indirect Cost (<u>0.00%</u>)**	<u>\$0.00</u>
TOTAL	<u>\$106,950.00</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.

Advanced Funding Date 11-6-2018

By Robert E. Hebert

Robert E. Hebert
Typed/Printed Name

County Judge
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.



CHANGE ORDER NBR.

16

REPORT DATE: 7/22/2018 2:26:01PM

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: \$100,000.00
CO TYPE: FEDERAL PARTICIPATING
3RD PARTY AMOUNT: \$100,000.00
APPRV LEVEL: OVERRIDE

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

DESCRIPTION: ADD DAYS AND BARRICADE MOTHS
REASON: 6C - 6C-UTILITIES NOT CLEAR
SECONDARY REASON(S):

TIME EXT.#: 1 and Days adjusted on the C. O. 51

Functions:

- | | |
|--|--|
| <input 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 checked="" 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 51 days and 20 months of barricade handling to the contract 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 build the road from Sta. 58+48.72 to Sta. 218+96.14 as proposed in the plan sheet numbers 1 through 478 (for reference purpose only) within 622 working days with 30 months of traffic handling. The project contains special provision 008-167, which states that the Department will suspend work for 270 calendar days unless authorized in writing by the Engineer. The 270 calendar day suspension period begins from March 19, 2015 and ends on December 13, 2015.

The contractor, Williams Brothers (WB) chose to work during this period and clear the right of way so that the utility companies can relocate the infrastructures to avoid any future conflicts. As such WB worked for 27 working days starting from March 24, 2015 through April 9, 2015 (13 working days) and April 28, 2015 through May 15, 2015 (14 working days). The remaining 270 calendar day delay started from May 16, 2015. During this period, the utility companies were relocating their infrastructures.

Further, it was noted that the roadway and open cut drainage system were not matching as per the available cross sections. To remedy this situation, the consultant, RPS Klotz (for Fort Bend County Office) redesigned the roadway and prepared the revised plan sheets as required. This revision extended this 270 calendar day suspension by 7 months from December 13, 2015 to July 31, 2016. The revised plan sheets number 1 through 546 (for references only) were provided to the Contractor for their review and execution of the work as revised.

The contractor, WB re-mobilized to the project site on August 1, 2017, however the relocated utility such as AT & T buried lines have become issues which affected the contractor's ability to work on critical path items. The contractor, WB requested to suspend the time till the affected utility is out of way. This office suspended time starting September 26, 2016 through December 1, 2017. However, the utility issues were not addressed during this period and the time suspension period was extended to October 15, 2017. This second suspension period was 13 months. The total extended period for the time suspension is 20 months.

It is to be noted that the advance warning sign setup and traffic were handled during this period also. As per the updated baseline schedule, the estimated time of completion is January 2020. The contractor is required to maintain and handle barricade, till this period, however the 30 months allocated for item 502-2001-000 has been consumed by July 2017. Therefore this office is proposing to add 20 months to item 502-2001-000 to reimburse the contractor for barricade, signs and traffic handling.

In addition, the contractor, WB submitted a Time Impact Analysis Number 1 requesting to provide 58 days credit to the time charged as of April 2018 Estimate cycle. Based on the review 51 days is credited as Time extension number 1.

Fort Bend County is third party participant at 100%.

Change Order Work Limits: Sta. 58+48.72 to Sta. 218+96.14

**TIME ADJUSTMENTS
CONTRACT**

**ADJUSTED DAYS
51**

EXPLANATION

The contractor, WB submitted a Time Impact Analysis Number 1 requesting to provide 58 days credit to the time charged from October 16, 2017 through January 15, 2018 (as of January 2018 Estimate cycle) The contractor submitted a time impact analysis to support his request for 58 day credit. The request was made as the contractor could not work through the critical path items during such period.

The Time Impact Analysis was reviewed by LJA Engineering which recommends to credit 51 days instead of requested 58 days. This finding was discussed with the contractor, WB on progress meeting held on May 21, 2018 and the contractor agreed on 51 days. The LJA's finding is summarized herein below:

Month	Days Charged	Req. Credit	Recom. Days
October 2017	12	12	12
November 2017	19	19	13
December 2017	17	17	17
January 2018	10	10	9

Total Charged Days = 58 days

Total Requested Days to be credited= 58 days

Total recommended Days = 51 days

Therefore, it is proposed to add 51 days as Time Extension Number 1.

"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	0500	05022001 CO DESCR	033	BARRICADES, SIGNS AND TRAFFIC HANDLING CO 16: ADD 20 MONTHS DUE TO EXTENDED DALEY PERIOD.	MO	5,000.00000	30.000	20.000	50.000	\$100,000.00
CHANGE ORDER AMOUNT										\$100,000.00