

TEXAS DEPARTMENT OF TRANSPORTATION

CHANGE ORDER NUMBER: 21

(Supporting Supplemental Agreement No. N/A)

Advance Funding Agreement (Third Party Funding) Information

(61.1463% of \$0) + 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: \$0.00)

Contract Items (Bid Items):

\$0.00

E&C (6.95%) * \$0.00

Subtotal \$0.00

Indirect Cost (0.00%) ** \$0.00

TOTAL \$0.00

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 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.

21

REPORT DATE: 10/5/2018 4:11:48PM

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: \$0.00
CO TYPE: FEDERAL PARTICIPATING
3RD PARTY AMOUNT: \$0.00
APPRV LEVEL: OVERRIDE

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

DESCRIPTION: ADDITIONAL DAYS DUE TO IMPACT NUMBER 2
REASON: 2A - 2A-DIFFER SITE CONDITION (UNFORESEEABLE)
SECONDARY REASON(S):

TIME EXT.#: 2 and Days adjusted on the C. O. 44

Functions:

- | | |
|---|--|
| <input 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 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 44 days 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 revised plan sheet numbers 1 through 481 (for reference purpose only) within 622 working days with 30 months of traffic handling. Due to the utility conflict and other issues, the contract time will be extended by 51 days upon approval of the change order number 16 (for reference only). The activity for installation of storm sewer consisting of 7X4 RCBs from BN 13 to Outfall and 42 in RCP from BN11 to outfall was scheduled for seven days starting from March 26, 2018 through April 20, 2018 as shown on the revised baseline schedule and May 2018 Update. However, this critical path activity could not start as the pond at outfall structure was full of water and required continous pumping to drain the water out from the above construction area. This operation was identified, thus the contractor, Williams Brothers submitted a Time Impact Analysis Number 2 requesting to provide 51 days credit to the time charged from March 19, 2018 through May 30, 2018. The contractor submitted a time impact analysis to support his request for 51 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 44 days as addition to the contract time as Time Extension Number 2.

This request for time extension does not include a cost associated with the impact at this time. In discussion with the contractor it was agreed that a cost impact would be submitted at a later date and any overhead, escalation or additional cost if any.

Change Order Work Limits: Sta. 58+48 to Sta. 218+00

TIME ADJUSTMENTS
CONTRACT

ADJUSTED DAYS
44

EXPLANATION

The Time Impact Analysis was reviewed by LJA Engineering which recommends to credit 44 working days instead of requested 51 working days. This finding was discussed with the contractor, WB on progress meeting held on July 16, 2018 and the contractor agreed on 44 days. The LJA's finding is summarized herein below:

Month	Days Charged	Requested Credit	Days Recommended
March 2018	9	9	7
April 2018	22	22	17
May 2018	20	17	20

Total Charged Days = 51 days

Total Requested Days: 51 days

Total recommended Days = 44 days

Therefore, it is proposed to add 44 days as Time Extension Number 2.

"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:

CONTRACT ID

091234144

DISTRICT ENGINEER: _____

DATE

DIRECTOR, CONSTRUCTION DIVISION: _____

DATE

DEPUTY EXECUTIVE DIRECTOR: _____

DATE

FHWA: _____

DATE

CHANGE ORDER NBR. 21