

TEXAS DEPARTMENT OF TRANSPORTATION

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 43

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)

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>

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 \$624,583.70)
 Actual Cost

(a) Contract Items (Bid Items):		<u>\$583,995.98</u>
(b) E&C*:	(a) x $\frac{0.0695}{\text{enter \%}}$ =	<u>\$40,587.72</u>
TOTAL		<u>\$624,583.70</u>

Use as needed:
I hereby acknowledge notification of the modifications covered by this Change Order.

Date 3-23-2021 *KP George*
By *KP George*
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:	
<u><i>Eliza C. Paul, P.E.</i></u> TxDOT Representative	<u>5/19/2021</u> Date
Typed/Printed Name: <u>Eliza C. Paul, P.E.</u>	

TxDOT Form 2146-AFA

04/05/2021 Original (e) sent to Britten Harris, Engineering dept.

09/20/2021 Original (e) received from Britten Harris, Engineering Dept Fully Executed



CHANGE ORDER NBR.

43

REPORT DATE: 2/8/2021 11:14:45AM

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: \$23,761,756.19
PEND ADJ PROJ AMT: \$23,761,756.19

CONTRACTOR: WILLIAMS BROTHERS CONSTRUCTION CO.,
 INC
CO AMOUNT: \$955,079.84
CO TYPE: FEDERAL PARTICIPATING
3RD PARTY AMOUNT: \$583,995.98
APPRV LEVEL: OVERRIDE

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

DESCRIPTION: QUANTITY ADJUSTMENT ON VARIOUS ITEMS
REASON: 3R - 3R-TXDOT DIRECTED
SECONDARY REASON(S):

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 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 adjusting quantities on 45 participating existing bid items under pavement work, drainage work and traffic control work 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 purpose only). This construction work provides for the construction of widening a non-freeway consisting of grading, widening structure, signals, lime treated sub-grade, concrete pavement and pavement markings.

The Contractor was required to construct the road way based on the revised plan sheets and it was agreed that the contractor, Williams Brothers will be paid as per the existing bid items including added items via various change order wherever applicable. Upon the completion of the work, it was noted the placed quantities as measured per actual site condition are as shown below:

Quantity Adjustments in Pavement Works

The contractor was required to install concrete pavement on Trammel Fresno Road. This office instructed to use an asphalt pavement to tie-ins at FM 521 intersection. Also, during the project period, pot holes were also repaired so that the travelling public could pass safely through the work zone. Upon completion, the actual quantities for various items under pavement work are listed as below. The deductions are shown inside the parenthesis.

Item No.	Description	CURRENT Qty.	Actual Qty.	Overrun (Under)%
0292-2017	ASPHALT STAB BASE (GR 4) (PG 64)	185 Ton	1,939.25	948.24
0360-2026	CONC PAV (JOINTED REINF) (10")	113,120 SY	108,945.021	(3.69)
0400-2008	CUT & RESTORING PAV (ASPHA)	235 SY	799.990	240.42
0530-2010	DRIVEWAYS (CONC)	8,056 SY	9,629.053	19.53
3061-2014	FAST TRACK (JOINTED) (13")	20,626SY	17,190.248	(16.66)
3267-2119	D-GR HMA (SQ) TY-D SAC-A PG70-22	234 TON	870.48	272.00
9608-2050	CO 14 POTHOLE REPAIR	250 SY	2,252.067	800.83

Quantity Adjustments in Drainage Works

The quantities on drainage work was overrun as the driveways are required to be added due to change site condition. Upon completion, drainage installation work on Trammel Fresno Road, the actual quantities for various items are listed as below. The deductions are shown inside the parenthesis.

Item No.	Description	CURRENT Qty.	Actual Qty.	Overrun %
0432-2084	RIPRAP (CONC) (CL B) (4")	674 CY	419.185	(37.81)
0400-2005	CEM STABIL BKFL	16,797.04 CY	21,799.759	29.78
0460-2009	CMP (GAL STL 48 IN)	120 LF	30	(75.00)
0462-2001	CONC BOX CULV (3 FT X 2FT)	152 LF	166	9.21
0462-2003	CONC BOX CULV (4 FT X 2FT)	237 LF	275	16.03
0462-2004	CONC BOX CULV (4 FT X 3FT)	229 LF	245	6.99
0462-2007	CONC BOX CULV (5 FT X 3FT)	96 LF	92	(4.17)
0462-2011	CONC BOX CULV (6 FT X 4FT)	1,409 LF	1,453.50	3.16
0462-2015	CONC BOX CULV (7 FT X 4FT)	1,346 LF	1,366.16	1.50
0464-2003	RC PIPE (CL III) (18 IN)	5 LF	4.5	(10.00)
0464-2005	RC PIPE (CL III) (24 IN)	3,139 LF	3,816.95	21.60
0464-2007	RC PIPE (CL III) (30 IN)	2,492 LF	2,847.00	14.25
0464-2009	RC PIPE (CL III) (36 IN)	1,830 LF	2,277.00	24.43
0464-2010	RC PIPE (CL III) (42 IN)	1,851 LF	2,293.00	23.88
0464-2011	RC PIPE (CL III) (48 IN)	3,032 LF	3,535.00	16.59

0464-2012	RC PIPE (CL III) (54 IN)	1,451 LF	1,525.00	5.10
0464-2013	RC PIPE (CL III) (60 IN)	2,360 LF	2,201.00	(6.74)
0465-2005	MANH (COMPL) (TY M)	3 EA	2	(33.33)
0465-2007	INLET EXT (TY C)	44 EA	42.00	(4.55)
0465-2010	INLET (COMPL) (TY AAD)	2 EA	3	50.00
0465-2012	INLET (COMPL) (TY A)	18 EA	26	44.44
0465-2014	MANH (COMPL) (JUNCTION BOX)	4 EA	3	(25.00)
0465-2098	INLET (COMPL) (TY C1)	11 EA	12.00	9.09
0465-2121	MANH (COMPL) (TY B)	7 EA	5.00	(28.57)
0465-6173	MANH (COMPL) (TY A) CO 22 LARGE SZ	43 EA	32	(25.58)
0465-2229	INLET EXT (TY C1)	17 EA	18	5.88
0465-2491	INLET (COMPL) (TY A) (MOD)	8 EA	22	175.00
0467-2288	SET (TY II) (24 IN) (RCP) (6:1) (P)	10 EA	33	230.00
9608-2003	CO 5: REM/ RESET SET 24 IN RCP	1 LS	2	100.00
0467-2290	SET (TY II) (30 IN) (RCP) (6:1) (P)	51 EA	36	(29.41)
0467-2292	SET (TY II) (36 IN) (RCP) (6:1) (P)	24 EA	22	(8.33)
0467-2293	SET (TY II) (42 IN) (RCP) (6:1) (P)	66 EA	64	(3.03)
0467-2294	SET (TY II) (48 IN) (RCP) (6:1) (P)	52 EA	39	(25.00)

Quantity Adjustments in Traffic Control Works:

The quantities on traffic control items were overrun so that the travelling public have safe passage through the construction zone during the project period. Upon completion, the traffic control work on Trammel Fresno Road, the actual quantities for various items are listed as below. The deductions are shown inside the parenthesis.

Item No.	Description	CURRENT Qty.	Actual Qty.	Overrun %
0508-2002	CONSTRUCTING DETOURS	6,825 SY	15,413.394	125.84
0512-2008	PORT CTB (FUR & INST) (LOW PROF) TY 1	500 LF	6,120.00	1,124.00
0512-2009	PORT CTB (FUR & INST) (LOW PROF) TY 2	80 LF	740	825.00
0512-2035	PORT CTB (STKPL) (LOW PROF) (TY 1)	500 LF	20.00	1,124.00
0512-2036	PORT CTB (STKPL) (LOW PROF) (TY 1)	80 LF	740	825.00

In addition to above, while generating "Overrun and underrun" Report via Site Manager, the percentage over and or under is indicated in the report. It has been noted the item exceeding + or - 25% for major item and any over or under run on drainage and traffic control items with exceed overrun limits whenever Site Manager checks the line item quantity for overrun or underrun limits individually which would give the Deficiency as "EXCEEDS OVERRUN LIMIT" during the Final Estimate Run.

To remedy this situation our office is now proposing to add and delete the quantities based on actual placed quantity in the field and as shown below:

Item No.	Description	Current Qty.	Actual Qty.	Add (Deduct)
0292-2017	ASPHALT STAB BASE (GR 4) (PG 64)	185 Ton	1,939.25	1,754.25
0360-2026	CONC PAV (JOINTED REINF) (10")	113,120 SY	108,945.021	(4,174.98)
0400-2008	CUT & RESTORING PAV (ASPHA)	235 SY	799.990	564.99
0530-2010	DRIVEWAYS (CONC)	8,056 SY	9,629.053	1,573.05
3061-2014	FAST TRACK (JOINTED) (13")	20,626 SY	17,190.248	(3,435.75)
3267-2119	D-GR HMA (SQ) TY-D SAC-A PG70-22	234 TON	870.48	636.48
9608-2050	CO 14 POTHOLE REPAIR	250 SY	2,252.067	2,002.07
0432-2084	RIPRAP (CONC) (CL B) (4")	674 CY	419.185	(254.82)
0400-2005	CEM STABIL BKFL	16,797.04 CY	21,799.759	5,002.72

0460-2009	CMP (GAL STL 48 IN)	120 LF	30	(90.00)	
0462-2001	CONC BOX CULV (3 FT X 2FT)	152 LF	166	14.00	
0462-2003	CONC BOX CULV (4 FT X 2FT)	237 LF	275	38.00	
0462-2004	CONC BOX CULV (4 FT X 3FT)	229 LF	245	16.00	
0462-2007	CONC BOX CULV (5 FT X 3FT)	96 LF	92	(4.00)	
0462-2011	CONC BOX CULV (6 FT X 4FT)	1,409 LF	1,453.50		44.50
0462-2015	CONC BOX CULV (7 FT X 4FT)	1,346 LF	1,366.16	20.16	
0464-2003	RC PIPE (CL III) (18 IN)	5 LF	4.5	(0.50)	
0464-2005	RC PIPE (CL III) (24 IN)	3,139 LF	3,816.95		677.95
0464-2007	RC PIPE (CL III) (30 IN)	2,492 LF	2,847.00		355.00
0464-2009	RC PIPE (CL III) (36 IN)	1830 LF	2,277.00		447.00
0464-2010	RC PIPE (CL III) (42 IN)	1,851 LF	2,293.00		442.00
0464-2011	RC PIPE (CL III) (48 IN)	3,032 LF	3,535.00		503.00
0464-2012	RC PIPE (CL III) (54 IN)	1,451 LF	1,525.00		74.00
0464-2013	RC PIPE (CL III) (60 IN)	2,360 LF	2,201.00		(159.00)
0465-2005	MANH (COMPL) (TY M)	3 EA	2		(1.00)
0465-2007	INLET EXT (TY C)	44 EA	42.00		(2.00)
0465-2010	INLET (COMPL) (TY AAD)	2 EA	3		1.00
0465-2012	INLET (COMPL) (TY A)	18 EA	26		8.00
0465-2014	MANH (COMPL) (JUNCTION BOX)	4 EA	3		(1.00)
0465-2098	INLET (COMPL) (TY C1)	11 EA	12.00		1.00
0465-2121	MANH (COMPL) (TY B)	7 EA	5.00		(2.00)
0465-6173	MANH (COMPL) (TY A) CO 22 LARGE SZ	43 EA	32		(11.00)
0465-2229	INLET EXT (TY C1)	17 EA	18		1.00
0465-2491	INLET (COMPL) (TY A) (MOD)	8 EA	22		14.00
0467-2288	SET (TY II) (24 IN) (RCP) (6:1) (P)	10 EA	33		23.00
9608-2003	CO 5: REM/ RESET SET 24 IN RCP	1 LS	2		1.00
0467-2290	SET (TY II) (30 IN) (RCP) (6:1) (P)	51 EA	36		(15.00)
0467-2292	SET (TY II) (36 IN) (RCP) (6:1) (P)	24 EA	22		(2.00)
0467-2293	SET (TY II) (42 IN) (RCP) (6:1) (P)	66 EA	64		(2.00)
0467-2294	SET (TY II) (48 IN) (RCP) (6:1) (P)	52 EA	39		(13.00)
0508-2002	CONSTRUCTING DETOURS	6,825 SY	15,413.394		8,588.39
0512-2008	PORT CTB (FUR & INST) (LOW PROF) TY 1	500 LF	6,120.00		5,620.00
0512-2009	PORT CTB (FUR & INST) (LOW PROF) TY 2	80 LF	740		660.00
0512-2035	PORT CTB (STKPL) (LOW PROF) (TY 1)	500 LF	6,120.00		5,620.00
0512-2036	PORT CTB (STKPL) (LOW PROF) (TY 1)	80 LF	740		660.00

The revisions covered by this change order do not require revisions to the original environmental clearance or approval by the Texas Department of Licensing and Regulation. The total change order amount for this project has exceeded 10% of the original contract amount, and this change order 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 \$955,079.84.

The Fort Bend County is the third-party participant at 61.1463% and amounts to \$583,995.98.

Change Order Work Limits: Sta. 58+48.72 to Sta. 218+96.54

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 WILLIAMS BROTHERS CONSTRUCTION COMPANY, INC.

BY: *Robert C. Lanham, Jr.* 3-16-2021
DATE

TYPED/PRINTED NAME: Robert C. Lanham, Jr., P.E. 3-16-2021
DATE

TYPED/PRINTED TITLE: President 3-16-2021
DATE

AREA ENGINEER: *Maria Pilar Aponte, P.E.* 05-11-2021
DATE

AREA ENGINEER'S SEAL:



DISTRICT ENGINEER: *Wesley C. Paul, P.E.* 5/19/2021
DATE

DIRECTOR, CONSTRUCTION DIVISION: _____
DATE

DEPUTY EXECUTIVE DIRECTOR: _____
DATE

FHWA: _____
DATE