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AGENDA ITEM REQUEST FORM

Hays County Commissioners Court

Tuesdays at 9:00 AM

Request forms are due in Microsoft Word Format via email by 2:00 p.m. on Wednesday.

AGENDA ITEM

Discussion and Possible action to authorize the Pct. 3 County Commissioner to execute a third party agreement with TxDOT in the amount of \$88,402.73 for Change Order No. 6 to the RM 2325 Priority Road Bond Program Project for the addition of a driveway at the Emily Anne Theatre, final concrete riprap for slope stabilizations, MBGF modifications and revised pavement delineators.

ITEM TYPE	MEETING DATE	AMOUNT REQUIRED
ACTION-ROADS	May 14, 2013	\$88,402.73

LINE ITEM NUMBER

AUDITOR USE ONLY

AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A AUDITOR REVIEW: BILL HERZOG

REQUESTED BY	SPONSOR	CO-SPONSOR
Commissioner Will Conley	CONLEY	N/A

SUMMARY

This change order is required for the addition of the driveway requested by Emily Ann Theatre for improved access and increased safety, final riprap quantities for stabilization of steep embankment slope, metal beam guard fence revisions to protect additional trees, modification of corrugated metal pipe lengths, revised raised pavement markers to improve traffic channelization and safety at left turn lanes and added barricade time for the additional work.

In addition, after the time added for extra work, Angel Brothers completed the project 44 days beyond the contract time allowed placing them in liquidated damages. The liquidated damages are not included in this change order. The liquidated damages, in the amount of \$35,200 or \$800/day, will be realized in the final statement of construction cost provided by TxDOT.

Due to changes in scope to the project during the design phase, this project is currently significantly below the projected construction cost. Therefore funds are available within the Priority Road Bond Program budget for this project.

TEXAS DEPARTMENT OF TRANSPORTATION

CHANGE ORDER NUMBER: 6

Advance Funding Agreement (Third Party Funding) Information

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:

 Hays 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 \$88,402.73)

Actual Cost

(a) Contract Items (Bid Items):		<u> \$88,402.73 </u>	
(b) Administrative*:	<u> 0.00% </u> <small>enter %</small>	=	<u> \$0.00 </u>
(c) Indirect Cost**:	(a + b) x <u> </u> <small>enter %</small>	=	<u> \$0.00 </u>
TOTAL			<u> \$88,402.73 </u>

CCSJ: 0285-02-012

Project: CC 285-2-12

Highway: RM 2325

County: Hays

District: AUSTIN

Contract Number: 04113228

Use as needed:

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 _____

By _____

Type/Printed Name _____

Typed/Printed Title _____

* See existing Agreement.

Advance Funding for this Change Order has been arranged:

_____ Date _____

Typed/Printed Name: _____



CONTRACT ID: 028502012
 PROJECT: CC 285-2-12
 CONTRACT: 04113228
 AWARD AMOUNT: \$3,273,604.25
 PROJECTED AMOUNT: \$3,346,138.24
 CONTRACTOR: ANGEL BROTHERS ENTERPRISES, LTD.
 CO AMOUNT: \$88,402.73
 CO TYPE: LOCAL
 3RD PARTY AMOUNT: \$88,402.73
 APPRV LEVEL: OVERRIDE

HIGHWAY: RM 2325
 DISTRICT: 14
 COUNTY: HAYS
 AREA ENGINEER: Benjamin Engelhardt, P.E.
 AREA NUMBER: 056

Functions:

<input checked="" 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

DESCRIPTION: CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY
 REASON: 1B - 1B-INCORRECT PS&E (CONSULTANT DESIGN)
 SECONDARY REASON(S):

TIME EXT.#: 1 and Days adjusted on the C. O. 45

DESCRIBE THE REASON FOR THE CHANGE ORDER AND WHAT IS BEING CHANGED. WHEN NECESSARY, INCLUDE EXCEPTIONS TO THIS AGREEMENT:

This change order allows for the installation of an added driveway located at station 240+76 RT at the request of Hays County. The Riprap item is increased to compensate for the needed ground stabilization. The CMP item is increased for drainage issues at driveway #18 station 248+00 RT and driveway #9 station 191+59 RT. The 18 inch SET item is increased by 4 each located at driveways 3 & 4 station 144+67 RT and driveway #9 station 191+59 RT. The MBGF radii item is added at Wood Creek Drive, and driveway #17, and the MBGF item is increased at various locations. The original plans called for 11 each of item 658-2283 INSTL DEL ASSM (D-SW)SZ(FLX)SRF to be installed on the project. These are incorrect delineators, the correct item is 658-2294 INSTL DEL ASSM (D-DW)SZ 1(FLX)SRF. Hays County has requested the contractor to replace these for proper traffic channelization. The following plan sheets are also incorporated in this change order. 6D, 7AB, 7C, 9, 10B, 58A, 63A, 65A-67A, 74A, 115A, 131A-133A, 135A, 136A, 289A-305A, and 319A-322A. This is a 3rd party change order.

TIME ADJUSTMENTS	ADJUSTED DAYS	EXPLANATION
CONTRACT	45	These days are added for the following reasons: 1. 4 days for grading the slope in preparation of added riprap over the wastewater line across RM 12 from Woodcreek subdivision. This work was performed from May 21st, 2012 to May 24th, 2012. 2. 10 days for added riprap to stabilize the 1:1 slope over the existing wastewater line along RM 12 at Woodcreek subdivision. This work was performed July 18th, 2012 to July 31st, 2012. 3. 5 days for washout repair. This work was performed August 1st, 2012 to August 7th, 2012. 4. 3 days for Type D level up added in change order 2, to be placed at various locations. This work was performed from August 8th, 2012 to August 12th, 2012 for phase 1. 5. 17 days for added riprap to stabilize the 1:1 slope over the existing wastewater line along RM 12 at Woodcreek subdivision. This work was performed from July 31st, 2012 thru September 19th, 2012. 6. 3 days for the extra MBGF placed September 24th, 2012 thru September 26th, 2012. 7. 1 day for extra soil retention blanket place November 8th, 2012. 8. 2 days for the Type D level up added in change order 2, to be placed at various locations. This work was performed from November 7th, 2012 to November 8th, 2012 for phase 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: _____ DATE _____

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

CONTRACT ITEMS

PROJECT NBR 028502012 (CC 285-2-12 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	0085	01102001 CO DESCR	000	EXCAVATION (ROADWAY) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	CY	8.00000	26,180.580	850.420	27,031.000	\$6,803.36
001	0090	01322003 CO DESCR	000	EMBANKMENT (FINAL)(ORD COMP)(TY B) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	CY	8.00000	3,888.690	806.310	4,695.000	\$6,450.48
001	0142	03402004 CO DESCR		D-GR HMA(METH) TY-A PG64-22 CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	TON	45.31000	7,625.000	16.000	7,641.000	\$724.96
001	0147	03412120 CO DESCR		D-GR HMA(QCQA) TY-D SAC-B PG70-22 CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	TON	57.00000	2,332.000	6.000	2,338.000	\$342.00
001	0155	03422006 CO DESCR	002	PFC (AGGREGATE)(PG76 MIX) SAC-A CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	TON	96.00000	4,855.815	3.190	4,859.005	\$306.24
001	0195	04322002 CO DESCR	000	RIPRAP (CONC)(5 IN) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	CY	325.00000	339.000	191.000	530.000	\$62,075.00
001	0205	04602003 CO DESCR	000	CMP (GAL STL 18 IN) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	LF	43.00000	216.000	200.000	416.000	\$8,600.00
001	0210	04642003 CO DESCR	003	RC PIPE (CL III)(18 IN) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	LF	43.00000	318.000	28.000	346.000	\$1,204.00
001	0280	04672301 CO DESCR	000	SET (TY II)(18 IN)(CMP)(6:1)(P) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	EA	750.00000	12.000	4.000	16.000	\$3,000.00
001	0345	05022001 CO DESCR	033	BARRICADES, SIGNS AND TRAFFIC HANDLING CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	MO	2,500.00000	10.000	2.000	12.000	\$5,000.00
001	0405	05302023 CO DESCR	000	DRIVEWAYS AND TURNOUTS (ACP) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	SY	24.00000	1,195.190	117.810	1,313.000	\$2,827.44
001	0410	05402001 CO DESCR	023	MTL W-BEAM GD FEN (TIM POST) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	LF	14.50000	1,300.000	249.000	1,549.000	\$3,610.50
001	0415	05402002 CO DESCR	023	MTL W-BEAM GD FEN (STEEL POST) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	LF	19.00000	350.000	36.000	386.000	\$684.00
001	0420	05402005 CO DESCR	023	TERMINAL ANCHOR SECTION CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	EA	450.00000	9.000	-1.000	8.000	-\$450.00
001	0422	05402036 CO DESCR		DRIVEWAY TERMINAL ANCHOR SECTION CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	EA	501.75000	0.000	2.000	2.000	\$1,003.50
001	0423	05402037 CO DESCR		MTL W - BEAM GD FEN(CRT POST)(SHRT RAD) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	LF	20.52000	0.000	90.000	90.000	\$1,846.80
001	0425	05442001 CO DESCR	000	GUARDRAIL END TREATMENT (INSTALL) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVWY	EA	1,900.00000	9.000	-1.000	8.000	-\$1,900.00
001	0475	06582283	000	INSTL DEL ASSM (D-SR)SZ 1(FLEX)SRF	EA	70.00000	11.000	-11.000	0.000	-\$770.00

CO DESCR	CO DESCR	EA	0.000	11.000	11.000	11.000	\$868.45
001 0476	06582294 INSTL DEL ASSM (D-DW)SZ 1(FLX)SRF CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVVWY	EA	78.95000				
001 0555	06662131 REFL PAV MRK TY I (Y) 24"(SLD)(090MIL) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVVWY	LF	5.25000	1,920.000	-1,920.000	0.000	-\$10,080.00
001 0600	06662185 REF PAV MRK TY II (Y) 24" (SLD) CO 6 Add Del, MBGF, TAS, Riprap, CMP, DRVVWY	LF	1.95000	1,920.000	-1,920.000	0.000	-\$3,744.00

CHANGE ORDER AMOUNT

\$88,402.73

CONTRACT ID

028502012

CHANGE ORDER NBR. 6

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FUNDING SOURCES

1. Work Program:

Local

Work Category: 10

Amount:

\$88,402.73