

SAM Engineering and Surveying



Engineering Firm Reg # 10602 Surveying Firm Reg # 101416-00
200 S. 10th Street, Suite 1500, McAllen, Texas 78501 Phone: (956) 702-8880 Fax: (956) 702-8883

Owner: Hidalgo County Precinct-1
To: Commissioner David Fuentes
Cc: Jorge Peña, RPIC
Mayor David Suarez
From: Samuel D. Maldonado, P.E., R.P.L.S. *SM*
Date: 9/23/21
Re: Change Order # 3 Approval

Project: Mile 6 W Road Project
Contract: C-19-274-04-07
CSJ: 0921-02-420
HWY: Mile 6 W

Change Order #3 has been approved to make the following changes:

Description & Purpose:

Change Order #3 allows for changes to the construction based on craftsmanship issues related with the backfill and compaction operations of a third party. Said party removed 11 power poles that were located within the ROW and within the in-place stabilized base material of the proposed roadway. After the removal of the power poles, the party backfilled and compacted the 11 holes. However, the backfill operations/procedures did not comply with the required compaction and in-place density stipulated by the contract. The concerns related with the non-compliant compaction of the backfill were forwarded to Texas Cordia Construction (TCC) along with a directive to provide a proposal for reworking the backfill on the 11 holes. TCC submitted a proposal for this item, and it was forwarded to TxDOT for concurrence. TxDOT approved the proposal as submitted. Attached supporting documentation.

Change Order #3 was provided by Texas Cordia Construction and signed by SAMES, Inc. and Precinct-1. There is additional funding required in the quantity of \$5,767.43. The County has been notified of Change Order #3 and agrees with CO#3. The changes do not impact the original environmental assessment, do not impact TDLR elements, do not impact wetlands, or water of the US, archeological, historical or social issues, endangered species or any other regulated areas within the project will not see change. This change order does not cause a disturbance that would require a Construction Site Notice (CSN) or Notice of Intent (NOI).

SAMES has reviewed the change order with Precinct-1 to explain this item and payment according to governing Local Government Specifications 1L-9L. See attached for supporting documentation used to describe all item and quantity changes.

CHANGE ORDER NUMBER THREE (3)

Project: Mile 6 W Road Project

DATE OF ISSUANCE: 9/29/2021

EFFECTIVE DATE: 10/5/2021

OWNER: Hidalgo County Precinct-1
 OWNER'S CONTRACT NO: C-19-274-04-07

CONTRACTOR: Texas Cordia Construction

ENGINEER: SAMES, Inc

You are directed to make the following changes in the Contract Documents.

Description: 1. MVEC removed 11 power poles on the west side of Mile 6 W from STA 106+00 to STA 125+00 and proceeded to backfill and compact the 11 holes created. This compaction did not meet specs and caused the section to need to be reworked by Texas Cordia Construction.
 Total Changes Cost = \$5,767.43 Increase

Reason for Change Order: 1. To avoid issues with the roadway in the future, TCC must rework this area to comply with plans/spec

Attachments: Cover Letter. TxDOT Concurrence. SAMES Change Order Form. Itemized breakdown of all change order items.

| CHANGE IN CONTRACT PRICE: | | CHANGE IN CONTRACT TIME: | |
|--|--|---|-------------------------------|
| Original Contract Price | | Original Contract Time for | |
| \$ 12,069,056.81 | | Substantial Completion: | 378 calendar days or dates |
| Net Changes from previous Change Order | | Net Change from previous Change Orders | 23 calendar days |
| \$ 11,728.49 | | Contract Time prior to this Change Order | |
| Contract Price prior to this Change Order | | Substantial Completion: | 401 calendar days or dates |
| \$ 12,080,785.30 | | Net Increase(decrease) of this Change Order | 0 calendar days |
| Net Increase(decrease) of this Change Order | | Contract Time with all approved Change Orders | |
| \$ 5,767.43 | | Substantial Completion: | 401 calendar days or dates |
| Contract Price with all approved Change Orders | Net % increase(decrease) from original contract price. | | |
| \$ 12,086,552.73 | 0.14497% | | |

RECOMMENDED:
 By: [Signature]
 Engineer (Authorized Signature)
 Date: 9/29/21

APPROVED:
 By: _____
 Owner (Authorized Signature)
 Date: _____

ACCEPTED:
 By: [Signature]
 Contractor (Authorized Signature)
 Date: 09/29/2021

Exhibit E-B


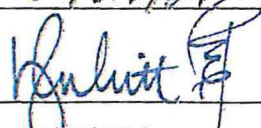
SAMES, Inc.
SAM ENGINEERING & SURVEYING

CHANGE ORDER No. 3

| | | | |
|-------------------------|---------------------------------------|-------------------------|--------------------------------|
| PROJECT NAME | Mile 6 W (From Mile 9 N to Mile 11 N) | | |
| LOCATION OF WORK | Mile 6 W (STA 106+00 to STA 125+00) | | |
| CONTRACT NO. | CSJ:0921-02-420 | CHANGE ORDER NO. | 3 |
| REQUESTING PARTY | Contractor | DATE OF REQUEST | 9/27/21 |
| PROJECT MANAGER | Jose Luis Garcia | CONTRACTOR | Texas Cordia Construction, LCC |
| OWNER | HC PCT-1 | ENGINEER | SAMES INC. |

| PROJECT CHANGE REQUEST DESCRIPTION | |
|--------------------------------------|---|
| DESCRIPTION OF CHANGES NEEDED | 1. MVEC removed 11 power poles on the west side of Mile 6 W from STA 106+00 to STA 125+00 and proceeded to backfill and compact the 11 holes created. This compaction did not meet specs and caused the section to need to be reworked by Texas Cordia Construction. Total Changes Cost = \$5,767.43 |
| REASON FOR CHANGE | 1. To avoid issues with the roadway in the future, TCC must rework this area to comply with plans/specs. |

| CHANGE IN PRICE | | CHANGE IN TIMES | |
|---|-----------------|--|----------|
| ORIGINAL PRICE | \$12,069,056.81 | ORIGINAL TIMES | 378 days |
| NET CHANGES OF PREVIOUS CHANGE ORDERS | (+)\$11,728.49 | NET CHANGES OF PREVIOUS CHANGE ORDERS IN DAYS | 23 days |
| NET INCREASE / DECREASE | (+)\$5,767.43 | NET INCREASE / DECREASE | 0 days |
| TOTAL CONTRACT PRICE WITH APPROVED CHANGES | \$12,086,552.73 | TOTAL CONTRACT TIME WITH APPROVED CHANGES | 401 days |

| | | | |
|--------------------------------|---|---------------------------|--|
| RECOMMENDED BY ENGINEER |  | APPROVED BY OWNER | |
| DATE | 09/29/21 | DATE | |
| ACCEPTED BY CONTRACTOR |  | REVIEWED BY FUNDER | |
| DATE | 09/29/2021 | DATE | |

Sofia Reynolds

From: Jesus Garcia <Jesus.Garcia9@txdot.gov>
Sent: Thursday, September 23, 2021 10:10 AM
To: Even Gonzalez
Cc: Jesus Noriega; Samuel D. Maldonado; Ricardo Leal
Subject: RE: Change Order # 3 BACKFILL STABILIZATION

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Even,

As per our conversation, proposal #1 will be more cost effective and it will take less time for construction. TxDOT is recommending to proceed with proposal #1. Please feel free to contact me for any questions.

Thank You,

Jesus I. Garcia, P.E.
Transportation Engineer
521 W. Ferguson
Pharr, Texas 78577



O: 956-702-6360 | E: Jesus.Garcia9@txdot.gov
www.txdot.gov | [Texas Highways Magazine](#) | [Get Involved](#)

From: Even Gonzalez <even@samengineering-surveying.com>
Sent: Wednesday, September 22, 2021 2:26 PM
To: Jesus Garcia <Jesus.Garcia9@txdot.gov>
Cc: Jesus Noriega <Jesus.Noriega@txdot.gov>; Samuel D. Maldonado <sam@samengineering-surveying.com>; Ricardo Leal <ricardo@samengineering-surveying.com>
Subject: RE: Change Order # 3 BACKFILL STABILIZATION

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Mr. Jesus

I related your questions to TCC regarding the Labor and equipment differences between the two proposals (Proposal 1- working of the 19 Stations & Proposal 2 – Flowable backfill). As per TCC,

1. The flowable backfill operation will entail a lengthier process, due that each hole will be worked on individually (thus making it more laborious) by using a backhoe and removing the temporary backfill that is covering the each hole.
2. TCC will not be reworking the base in the sense of stabilization of the subbases (will NOT be adding lime and compacting). The use of the term "reworking base" means removing the backfill covering the holes, followed by pouring of the followable backfill.

If you have more questions or comments please let me know.

From: Jesus Garcia <Jesus.Garcia9@txdot.gov>
Sent: Wednesday, September 22, 2021 10:17 AM
To: Even Gonzalez <even@samengineering-surveying.com>
Cc: Jesus Noriega <Jesus.Noriega@txdot.gov>; Samuel D. Maldonado <sam@samengineering-surveying.com>; Ricardo Leal <ricardo@samengineering-surveying.com>
Subject: RE: Change Order # 3 BACKFILL STABILIZATION

Good Morning Even,

The Labor and Equipment hours do not make sense for the type of work being done. 10 hours for reworking 19+00 Stations on the first proposal vs 30 hours for filling up 12 holes with flowable backfill does not make sense. Also, in the change order description, it seems that they are still including reworking the base. The point of flowable backfill is to avoid any type of reworking the base. Please have TCC provide more information for this proposal. Feel free to contact me for any questions.

Thank You,

Jesus I. Garcia, P.E.
Transportation Engineer
521 W. Ferguson
Pharr, Texas 78577



O: 956-702-6360 | E: Jesus.Garcia9@txdot.gov
www.txdot.gov | [Texas Highways Magazine](#) | [Get Involved](#)

From: Even Gonzalez <even@samengineering-surveying.com>
Sent: Wednesday, September 22, 2021 10:02 AM
To: Jesus Garcia <Jesus.Garcia9@txdot.gov>
Cc: Jesus Noriega <Jesus.Noriega@txdot.gov>; Samuel D. Maldonado <sam@samengineering-surveying.com>; Ricardo Leal <ricardo@samengineering-surveying.com>
Subject: RE: Change Order # 3 BACKFILL STABILIZATION

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Mr. Jesus

Attached is Texas Cordia Proposal for Flowable Fill, backfill stabilization for the holes for your review/concurrence.

As per the materials considered on this proposal

- Prime Coat- Does align with the contract rates
- Flowable Fill, is not itemized in the contract and was given a unit price of \$116.00

Please advise.

From: Even Gonzalez
Sent: Monday, August 30, 2021 4:27 PM
To: 'Jesus Garcia' <Jesus.Garcia9@txdot.gov>
Cc: Jesus Noriega <Jesus.Noriega@txdot.gov>; Samuel D. Maldonado <sam@samengineering-surveying.com>; Ricardo Leal <ricardo@samengineering-surveying.com>
Subject: RE: Change Order # 3 BACKFILL STABILIZATION

Good afternoon Mr. Jesus

Please provide the following information:

1. How did TCC figure it was going to take them 10 Hrs on Labor and 8 Hrs for the equipment.
 - TCC is quantifying 8 hours of labor and 8 hours of equipment use and an additional 2 hours for staking the area to be reworked (1010 FT X 10 FT)
2. How was the material required calculated.
 - The material quantities were calculated based on cutting a strip of road in the path where the power poles laid, said area to be 1010 feet long by 10 feet wide.
 - Said area totals to 1122.22 SY which will require 225 gallons of Prime Coat (MC-30) at a unit price of \$6.00 which aligns with the contract rate.
 - Note TCC is not charging for the reworking of the subgrade and flex base. SAMES INC. will test for in-place density requirements.
3. What is SAMES Engineering recommendation?
 - The unit price for the prime coat does align with the contract documents.
4. Why can't they use the existing contract items?
 - The only item used for this operation is applying of Prime Coat that is aligned with contract rates. However they are marking up on labor, equipment and materials and insurance taxes on labor.

If you have any questions or comments please advise.

Thanks in advance!

Even E. Gonzalez
Field Engineer
The CHASE Tower
200 S. 10th St. Ste.1500
McAllen, Texas 78501
Office: 956.702.8880
Fax: 956.702.8883



SAMES, Inc.
www.samengineering-surveying.com



"EXCELLENCE THRU TEAMWORK"

From: Jesus Garcia <Jesus.Garcia9@txdot.gov>
Sent: Monday, August 30, 2021 2:55 PM
To: Even Gonzalez <even@samengineering-surveying.com>
Cc: Jesus Noriega <Jesus.Noriega@txdot.gov>; Samuel D. Maldonado <sam@samengineering-surveying.com>; Ricardo Leal <ricardo@samengineering-surveying.com>
Subject: RE: Change Order # 3 BACKFILL STABILIZATION

Good Afternoon Even,

Please provide the following information:

1. How did TCC figure it was going to take them 10 Hrs on Labor and 8 Hrs for the equipment.
2. How was the material required calculated.
3. What is SAMES Engineering recommendation?
4. Why can't they use the existing contract items?

Please Advise

Thank You,

Jesus J. Garcia, P.E.
Transportation Engineer
521 W. Ferguson
Pharr, Texas 78577



O: 956-702-6360 | E: Jesus.Garcia9@txdot.gov
www.txdot.gov | [Texas Highways Magazine](#) | [Get Involved](#)

From: Even Gonzalez <even@samengineering-surveying.com>
Sent: Monday, August 30, 2021 10:57 AM
To: Jesus Garcia <Jesus.Garcia9@txdot.gov>
Cc: Rene Garza <Rene.Garza@txdot.gov>; Jesus Noriega <Jesus.Noriega@txdot.gov>; Felipe Fernandez <Felipe.Fernandez@txdot.gov>; Samuel D. Maldonado <sam@samengineering-surveying.com>; Ricardo Leal <ricardo@samengineering-surveying.com>; Sofia Reynolds <sreynolds@samengineering-surveying.com>; Jorge Pena1 <jorge.pena1@co.hidalgo.tx.us>; Luis Diaz <luis.diaz@co.hidalgo.tx.us>
Subject: Change Order # 3 BACKFILL STABILIZATION

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Mr. Jesus

I have attached the documentation pertaining change order # 3 for TxDOT concurrence. Below a brief description id of the items related to the change order.

1. MVEC removed eleven power poles on the west side of Mile 6 W from STA 106+00 To STA 125+00 (see attachment).
2. The removal of the power poles created holes that need to be backfilled and stabilized.
3. Attached is the quote (for your concurrence), prepared by Texas Cordia Construction for the work to be performed.
4. Also, attached is the location of the removed power poles as indicated in the plans.

If you have any questions please don't hesitate to reach out.

Thanks in advance.

Even E. Gonzalez
Field Engineer
The CHASE Tower
200 S. 10th St. Ste. 1500
McAllen, Texas 78501
Office: 956.702.8880
Fax: 956.702.8883

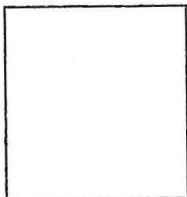
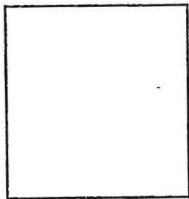


SAMES, Inc.

www.samengineering-surveying.com



"EXCELLENCE THRU TEAMWORK"



CHANGE ORDER SUBMITTAL

Project Mile 6 West Road CSJ 0921-02-420
 County Hidalgo HWY Mile 6 west
 Change Order 3 DATED Aug. 16, 2021

CHANGE ORDER DESCRIPTION Rework Base at Power Pole Holes (Mile 10+- to Mile 10-1/2+-)

| | | | | |
|---------------------|-------------------|-------------------|-----------------|-------------------|
| <u>A) LABOR</u> | <u>\$974.40</u> | +25% compensation | <u>\$243.60</u> | |
| | | +55% premium | <u>\$535.92</u> | |
| | | TOTAL LABOR | | <u>\$1,753.92</u> |
| <u>B) MATERIAL</u> | <u>\$1,350.00</u> | +25% compensation | <u>\$337.50</u> | |
| | | TOTAL MATERIAL | | <u>\$1,687.50</u> |
| <u>C) EQUIPMENT</u> | <u>\$1,972.98</u> | +15% compensation | <u>\$295.94</u> | |
| | | TOTAL EQUIPMENT | | <u>\$2,268.90</u> |
| <u>D) SUB</u> | <u>\$0.00</u> | *5% compensation | <u>\$0.00</u> | |
| | | TOTAL MOB | | <u>\$0.00</u> |
| <u>E) BOND</u> | | 1% of sub total | | <u>\$57.10</u> |
| <u>F) TOTAL</u> | | | | <u>\$5,710.32</u> |

ADMINISTRATIVE COST *5% of total extra work by sub

The Prime contractor may be paid for this cost when extra work, ordered by the engineer, is performed by a subcontractor or a collection of subcontractors. This cost will be calculated as a percentage of the SUB WORK above, in accordance with the Special Provision in the contract.

| | |
|-------------------|-------------------|
| TOTAL PAYMENT | <u>\$5,767.43</u> |
| LESS PREVIOUS PAY | <u>\$0.00</u> |
| PAY THIS PERIOD | <u>\$5,767.43</u> |

I hereby certify that the above is a true and correct statement of the amounts payable to Texas Cordia Construction, which are just charges as contingency expenditures incurred on this project.

Jose Luis Garcia

8/16/2021
Date