

WILLIAMSON COUNTY, TEXASCHANGE ORDER NUMBER: 15

NTP Required:

Contractor: James Construction Group ☐ Yes ☒ NoProject Name: FM3349 at US 79Change Order Work Limits: Sta. 1514+00 to Sta. 1516+00Type of Change (on federal-aid non-exempt projects): Minor (Major/Minor)Reasons: 2C (3 Max. - In order of importance - Primary first)

Describe the work being revised:

2. Differing Site Conditions (unforeseeable). 2C. New development (conditions changing after PS&E completed). This Change Order provides compensation to the Contractor for additional construction surveying, traffic control management, and low production asphalt placement due to the different site conditions on driveway No. 5 of the northbound frontage road.

Work to be performed in accordance with Items: See AttachedNew or revised plan sheet(s) are attached and numbered: 185New Special Provisions/Specifications to the contract are attached: ☐ Yes ☒ NoNew Special Provisions to Item N/A No. N/A Special Specification Item N/A are attached.

Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

The contractor must sign the Change Order and, by doing so, 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.	The following information must be provided
THE CONTRACTOR Date <u>7-1-24</u>	Time Ext. #: <u>N/A</u> Days added on this CO: <u>0</u>
By <u>[Signature]</u>	Amount added by this change order: <u>\$24,513.18</u>
Typed/Printed Name <u>Joel Williams</u>	Original Contract Amount: <u>\$81,941,038.13</u>
Typed/Printed Title <u>Division Manager</u>	Total Change Orders To-Date: <u>\$2,087,268.37</u>
	Percent Change in Original Contract: <u>2.55%</u>

RECOMMENDED FOR EXECUTION:

[Signature] 7/1/2024
Senior Construction Engineer Date

RECOMMENDED FOR EXECUTION:

[Signature] 7/5/2024
Department of Infrastructure Date
Williamson County

Christen Eschberger 7/5/2024
Program Manager Date

APPROVED:

N/A
3rd Party Signature Date

Presiding Officer of the Date
Williamson County Commissioners Court

WILLIAMSON COUNTY, TEXAS

CHANGE ORDER NUMBER: 15

Project #: 22IFB139

TABLE A: Force Account Work and Materials Placed into Stock[illegible]**TABLE B: Contract Items:**

				ORIGINAL + PREVIOUSLY REVISED		ADD or (DEDUCT)	NEW		
ITEM	DESCRIPTION	UNIT	UNIT PRICE	QUANTITY	ITEM COST	QUANTITY	QUANTITY	ITEM COST	OVERRUN/ UNDERRUN
3076-WC03	ADDITIONAL CONSTRUCTION SURVEYING, TRAFFIC CONTROL, AND ADDED COST DUE TO LOW HMAC PLACEMENT RATE ON DRWY NO. 5 - 008	LS	\$ 24,513.18	0.00	\$ -	1.00	1.00	\$ 24,513.18	\$ 24,513.18
TOTALS					\$ -			\$ 24,513.18	\$ 24,513.18

Williamson County Road Bond Program

**FM3349 at US 79
Williamson County Project No. 22IFB139**

Change Order No. 15

Reason for Change

This Change Order provides compensation to the Contractor for additional construction surveying, traffic control management, and increased costs resulting from low asphalt placement due to different site conditions at driveway No. 5 of the northbound frontage road. After the project was bid, a new development tied the driveway to the existing FM 3349. In order to keep the driveway operational at all times, the connection to the newly built NBFR required multiple traffic switches, re-staking to match existing conditions, and the usage of full depth HMAC.

Following is summary of new items required for this Change Order.

ITEM	DESCRIPTION	QTY	UNIT
3076-WC03	ADDITIONAL CONSTRUCTION SURVEYING, TRAFFIC CONTROL, AND ADDED COST DUE TO LOW HMAC PLACEMENT RATE ON DRWY NO. 5	1	LS

This Change Order results in a net increase of \$24,513.18 to the Contract amount, for an adjusted Contract total of \$84,028,306.50. The original Contract amount was \$81,941,038.13. As a result of this and all Change Orders to-date, \$2,087,268.37 has been added to the Contract, resulting in an 2.55% net increase in the Contract cost. No additional days will be added to or deducted from the Contract as a result of this Change Order.

HNTB Corporation

Oscar Salazar-Bueno, P.E.

Change Order Worksheet

Contract Name	FM3349 at US79	Solicitation #	22IFB139
Date awarded	9/26/2022		
Awarded Contract Amount	\$81,941,038.13		
		Percentage Change	
Change order #1	\$925,354.41	1.13%	
Change order #2	\$82,000.00	0.10%	
Change order #3	\$195,302.81	0.24%	
Change order #4	-\$472,492.20	-0.58%	
Change order #5	-\$5,274.97	-0.01%	
Change order #6	\$130,053.00	0.16%	
Change order #7	\$661,031.30	0.81%	
Change order #8	\$327,321.48	0.40%	
Change order #9	-\$368,749.53	-0.45%	
Change order #10	\$67,965.30	0.08%	
Change order #11	\$271,902.72	0.33%	
Change order #12	\$64,791.00	0.08%	
Change order #13	\$82,301.65	0.10%	
Change order #14	\$101,248.22	0.12%	
Change order #15	\$24,513.18	0.03%	
Total changes to date	<u>\$2,087,268.37</u>	<u>2.55%</u>	(Running totals here)
Adjusted contract amount	\$84,028,306.50		

CHANGE ORDER REASON(S) CODE CHART

1. Design Error or Omission	1A. Incorrect PS&E 1B. Other
2. Differing Site Conditions (unforeseeable)	2A. Dispute resolution (expense caused by conditions and/or resulting delay) 2B. Unavailable material 2C. New development (conditions changing after PS&E completed) 2D. Environmental remediation 2E. Miscellaneous difference in site conditions (unforeseeable)(Item 9) 2F. Site conditions altered by an act of nature 2G. Unadjusted utility (unforeseeable) 2H. Unacquired Right-of-Way (unforeseeable) 2I. Additional safety needs (unforeseeable) 2J. Other
3. County Convenience	3A. Dispute resolution (not resulting from error in plans or differing site conditions) 3B. Public relations improvement 3C. Implementation of a Value Engineering finding 3D. Achievement of an early project completion 3E. Reduction of future maintenance 3F. Additional work desired by the County 3G. Compliance requirements of new laws and/or policies 3H. Cost savings opportunity discovered during construction 3I. Implementation of improved technology or better process 3J. Price adjustment on finished work (price reduced in exchange for acceptance) 3K. Addition of stock account or material supplied by state provision 3L. Revising safety work/measures desired by the County 3M. Other
4. Third Party Accommodation	4A. Failure of a third party to meet commitment 4B. Third party requested work 4C. Compliance requirements of new laws and/or policies (impacting third party) 4D. Other
5. Contractor Convenience	5A. Contractor exercises option to change the traffic control plan 5B. Contractor requested change in the sequence and/or method of work 5C. Payment for Partnering workshop 5D. Additional safety work/measures desired by the contractor 5E. Other
6. Untimely ROW/Utilities	6A. Right-of-Way not clear (third party responsibility for ROW) 6B. Right-of-Way not clear (County responsibility for ROW) 6C. Utilities not clear 6D. Other

CHANGE ORDER
Lone Star Driveway 5 & 6 Repricing

Date: 3/7/2024



Invoice #

Bill To:
HNTB- WILLIAMSON COUNTY

RE:
FM3349 & HWY 79
ASIF MIRZAZADA
3486-01-008

Qty	UM	Description	Unit Price	Total
1,451.20 1	TON LS	LONE STAR - LOW PRODUCTION - DRIVEWAY 5 & 6 REPRICING Additional construction surveying and traffic control and added cost due to low asphalt placement rates on driveway # 5. This is not an adjustment of price to the contract item. The tonnage has been paid for at contract price. This LS item will pay for additional surveying and traffic control required to complete the work and for a premium to the asphalt subcontractor for low placement rate due to different site conditions. See marked backup below.	\$149.55 \$24,513.18	\$217,033.27 \$24,513.18
		PREPARED BY: KYLE OLDHAM		\$24,513.18
			Total	\$217,033.27

James Construction Group, LLC

Contractor's Basis of Estimate

Date:
CO Pricing Good For:

3/7/2024

Project: FM339 & HWY79
Control: 3486-01-008

County: WILLIAMSON
Highway: FM3349

Description:

30 DAYS
Level-Up Type B in Driveway 5
& 6

Original Contract:

Net CO:

Revised Contract:

Estimated Qty:
Estimated Change in Contract Sum:
Estimated Change In Contract Time:

1,451.20 TON
\$ 217,033.27
TBD

Narrative: JCG - Additional Flagging & Survey for the Level-Up Type B in Driveway 5 & 6. Date 2/9/24, 2/12/24, 2/14/24, & 2/21/24.

JCG reserves the right to request equitable time and monetary adjustments for additional or unforeseen work resulting from this change order.

LABORSURVEY

PARTY CHIEF
RODMAN

	Reg Hrs	OT Hrs	UM	Reg Rate	OT Rate (x1.5)	Extended
PARTY CHIEF	32.00	0.00	HR	\$ 58.85	\$ -	\$ 1,883.20
RODMAN	32.00	0.00	HR	\$ 19.29	\$ -	\$ 617.28
<u>ROADWAY FLAGGERS</u>						
JOSH VIGH	32.00	0.00	HR	\$ 21.00	\$ -	\$ 672.00
RAMON VALDEZ	32.00	0.00	HR	\$ 25.00	\$ -	\$ 800.00
JOSE CRUZ	32.00	0.00	HR	\$ 20.00	\$ -	\$ 640.00
Subtotal						\$ 4,612.48
25% Profit						\$ 1,153.12
55% Burdens						\$ 2,536.86
Total Labor						\$ 8,302.46

EQUIPMENT

CREW TRUCK RAM2500 4WD
SURVEY TRUCK RAM1500 4WD

QTY	UM	Rate	Extended
32.00	HRS	\$ 45.77	\$ 1,464.64
32.00	HRS	\$ 42.17	\$ 1,349.44
Subtotal			\$ 2,814.08
15% Profit			\$ 422.11
Total Equipment			\$ 3,236.19

SUBCONTRACTORS

LONE STAR - Level-Up Type B in Driveway 5 & 6 (low production premium)

QTY	UM	Price	Extended
1451.20	TON	\$ 133.45	\$ 193,662.64
385.55	TON	\$31.45	\$12,125.55
Subtotal			\$ 193,662.64
5% Profit			\$ 9,683.13
Total Subcontract			\$ 203,345.77

MATERIAL

QTY	UM	Price	Extended
			\$0.00
			\$0.00
			\$0.00
Subtotal			\$0.00
25% Markup			\$ -
Total Material			\$ -

Unit Price Ty B \$ 102.00/TON

LoneStar revised price for low production \$133.45/Ton

Delta: \$31.45

Average Placement Rate (8 paving days): 1,465.18 Ton/Day

Only 1 day the placement rate went below 500 Ton/Day

2/12/24 385.55 Tons placed on Driveway 5

385.55 x \$31.45 = \$12,125.55

TOTAL OF WORK PERFORMED	\$	214,884.43	\$24,270.48
BOND FEE (ADD 1%)	\$	2,148.84	\$242.70
TOTAL COST	\$	217,033.27	\$24,513.18
UNIT PRICE (TOTAL COST/EST. QTY)	\$	149.55	

	Tons	Shift
2/12/2024	385.55	1
2/13/2024	2,115.29	2
2/14/2024	1,981.56	3
2/15/2024	1,124.97	4
2/16/2024	2,070.69	5
2/19/2024	1,511.29	6
2/20/2024	864.08	7
2/21/2024	1,668.02	8
	11,721.45	1,465.18



11675 JOLLYVILLE RD, SUITE 150
AUSTIN, TX 78759

Proposal No. 2

Date	Estimate No.
2/13/2024	53517 - No. 2
Project	
FM 3349	
CSJ# 3486-01-008	

Phone #	(512) 428-5778	James Construction		
Description	Qty	U/M	UNIT PRICE	Total
Level-Up in Driveway 5 and 6				
<u>ADDITIONS TO THE CONTRACT</u>				
3076-6001 Level-Up Type B in Driveway 5 and 6	1,451.20	Ton	\$133.45	\$193,662.64
NOTE: PRICING EXCLUDES TRAFFIC CONTROL, FLAGGERS, UNIFORMED POLICE OFFICERS, DAMAGE TO FIBER OPTIC CABLES, UNDERGROUND UTILITIES AND ANY UNDERGROUND OBSTRUCTIONS.				Total ADD
				\$193,662.64
THIS PROPOSAL IS VALID FOR 30-DAYS FROM PROPOSAL DATE. IF NOT ACCEPTED WITHIN 30-DAYS OF PROPOSAL DATE, REVISED PRICES WILL HAVE TO BE SUBMITTED. PRICING IS GOOD IF ALL WORK IS ACCEPTED AT PROPOSED PRICING. NEW PRICING IS REQUIRED IF ANY SCOPE ABOVE IS CHANGED.				
Estimator				
Michael Crum				
michae@lspaving.com				
512-993-9079				
Terms & Conditions				
LONE STAR PAVING WILL EXECUTE ONLY THOSE ITEMS OF WORK LISTED IN THE "SCOPE OF WORK" ABOVE. ANY ADDITIONAL ITEMS OF WORK WILL REQUIRE A WRITTEN CHANGE ORDER IN ADVANCE. LONE STAR PAVING IS NOT RESPONSIBLE FOR DRAINAGE ISSUES ON SLOPES LESS THAN 2%. ALL QUANTITY OVERRUNS WILL BE VERIFIED IN PLACE UPON COMPLETION AND BILLED AT UNIT PRICES SHOWN ABOVE.				
Terms & Conditions				
All agreements must be made in writing. Asphalt paving standards for newly constructed areas are proposed to comply with the Texas Department of Transportation hot mix standards. Other paving specifications must be specifically outlined. All permits and fees are excluded unless otherwise noted. Lone Star Paving is not responsible for utility lines less than 12 inches deep. Lone Star Paving will carry Workers Compensation, General Liability and Auto Insurance for labor provided in the performance of this contract. The amounts included in this estimate are based on information provided and are subject to change if new information is provided or differing site conditions are encountered. The contractor is responsible for the paving surface. From time to time, the paving surface may have areas whereby additional hot mix must be applied to achieve desired results, the fees for these additional amounts of materials will be discussed and agreed to prior to commencement of work. All changes in the scope of the work must be agreed prior to the commencement of work. Fees for our services are due 30 days from the date of the invoice. Payments should be remitted to Asphalt Inc., LLC d/b/a Lone Star Paving, PO Box 200608, Austin, Tx 78720. Interest shall accrue for all amounts past due at the rate of eighteen percent (18%) compound interest per annum or highest legal limit. The Contractor agrees to pay reasonable attorney fees, expert fees, all costs of court, and any other expenses incurred by Asphalt Inc in the collection of any sums due under the performance of this contract. The venue for any legal action under this contract shall be Bexar County, Texas. The parties expressly agree to waive the right to a jury trial. Pricing based on a mutually agreeable contract.				

The above prices, specifications, and conditions are satisfactory and are hereby accepted. Payment will be made as outlined above.

Accepted by: _____

Date: _____

Title: _____

Company Name: _____



LONE STAR PAVING

CHANGE ORDER PRICING BREAKDOWN

Owner:	TXDOT (James Construction)	Date:	13-Feb-24
Project:	FM 3349	Project No.:	265-2-36
Control:	3486-01/008, ETC	Proposal No.:	1

Subject:	Item 530 DRIVEWAYS/INTERSECTION	1,451.20	- TON
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Production Rate =	500	-TON/Day
Hours per Day-->	11	

A. LABOR

Description	Hours	Quantity	Rate	Totals
Jose Castillo	29	1	\$ 30.68	\$889.72
Pedro Tovar	29	1	\$ 30.00	\$870.00
Inocencio Valazquez	29	1	\$ 23.00	\$667.00
Jacob Romo	29	1	\$ 21.50	\$623.50
Kevin Mondragon	29	1	\$ 21.00	\$609.00
Miguel Avila	29	1	\$ 20.00	\$580.00
Rogelio Salinas	29	1	\$ 20.00	\$580.00
Bryant Bodin	29	1	\$ 26.00	\$754.00
Efren Coronado Salas	29	1	\$ 20.00	\$580.00
Jose Coronado Salas	29	1	\$ 20.00	\$580.00
Marlon Alvarado	29	1	\$ 27.14	\$787.06
Bonifacio Marquez	29	1	\$ 29.21	\$847.09
Rodrigo Vargas	29	1	\$ 27.66	\$802.14
Armando Ruiz	29	1	\$ 30.17	\$874.93
Samuel Figueroa	29	0	\$ 22.52	\$0.00

Base Labor Costs = \$10,044.44

Profit & Compensation

(Base Labor "Only")	25.00%	\$2,511.11
Labor Burden (Base Labor "Only")	55.00%	\$5,524.44

Total Labor Costs = \$18,079.99

B. EQUIPMENT

Description	Hours	Quantity	Rate	Totals
AP 1000F Asphalt Paver	26	1	\$303.43	\$7,889.18
Roadtec SB-2500D	0	1	\$382.11	\$0.00
Cat 914 4-Wd Articulating Wheel Loader	26	1	\$82.75	\$2,151.50
Bomag BW11RH-5	26	1	\$127.89	\$3,325.14
Bomag 284 AD	26	1	\$208.89	\$5,431.14
Bomag BW120AD	26	1	\$67.37	\$1,751.62
Broce RJ-350 Propelled Broom	26	1	\$113.34	\$2,946.84
550 Gal Distributor/Trailer Mounted	26	1	\$17.52	\$455.52
F450SD Diesel 4x2	26	2	\$62.96	\$3,273.92
Cat Skidsteer 272D3	0	1	\$77.93	\$0.00
PC 412 Skidsteer Attachment (Planer)	0	0	\$376.16	\$0.00
Pickup F-250 (Crew) 4x2 -Gas-3/4Ton	26	2	\$38.67	\$2,010.84

Subtotal = \$29,235.70

Profit & Compensation

15.00% \$0.00

Total Equipment Costs = \$29,235.70

C. MATERIALS

Description	Quantity	Units	Unit Price	Totals
Type B PG (64-22)	1,451.20	Tons	\$69.75	\$101,221.20
CBC-1H	275.00	GAL	\$2.80	\$770.00

Subtotal = \$101,221.20

Profit & Compensation

25.00% \$25,305.30

Total Material Costs = \$126,526.50

D. SUBCONTRACTOR/OTHER

Description	Quantity	Units	Unit Price	Totals
Haul Asphalt	1,451.20	Tons	\$13.00	\$18,865.60

Subtotal = \$18,865.60

Profit & Compensation

5.00% \$943.28

Total Subcontractor/Otl 0 \$19,808.88

E. SUMMARY

Subtotal of all Costs

Total Proposal Amount = \$193,651.07

Cost Per Unit = \$133.45 / TON