



## **AGENDA MEMORANDUM**

Future Item for the City Council Meeting of June 20, 2017  
Action Item for the City Council Meeting of July 11, 2017

---

**DATE:** May 25, 2017

**TO:** Margie C. Rose, City Manager

**THRU:** Mark Van Vleck, Assistant City Manager  
markvv@cctexas.com  
(361) 826-3082

**FROM:** Valerie H. Gray, P.E., Executive Director of Public Works  
valerieg@cctexas.com  
(361) 826-3729

Jeff H. Edmonds, P.E., Director of Engineering Services  
jeffrey@cctexas.com  
(361) 826-3851

<p style="text-align: center;"><b><u>Change Order No. 4</u></b> <b>Williams Drive Phase 3 from Staples Street to Airline Road</b> <b>BOND 2012</b></p>
--

### **CAPTION:**

Motion authorizing the City Manager, or designee, to execute Change Order No. 4 with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$166,091.25 for a total restated contract amount of \$8,964,073.35 for Williams Drive Improvements Phase 3 from Staples Street to Airline Road. (BOND 2012).

### **PURPOSE:**

The purpose of this Agenda Item is to obtain authority to execute Change Order No. 4 with Reytec Construction Resources, Inc. for the Williams Drive Phase 3 from Staples Street to Airline Road project. (BOND 2012)

### **BACKGROUND AND FINDINGS:**

On September 29, 2015 City Council awarded the Williams Drive Phase 3 project to Reytec Construction. This is a joint TxDOT/City project with 80/20 cost share that includes full-depth reconstruction and widening of the existing 2-lane Hot-Mix-Asphalt-Concrete (HMAC) road to a new 4-lane Portland Cement Concrete (PCC) road.

During construction in the Airline & Williams intersection, a main AT&T duct bank was encountered that was in conflict with the new 12' x 6' concrete box culverts. As required by the contract and public law, the design engineer and contractor had both contacted "Texas 811 Call Before You Dig". AT&T did not mark the duct bank in response to either 811 call.

To minimize the construction schedule impacts at the Williams/Airline Intersection, Engineering Services issued a Change Order that would compensate the contractor on a time and material basis for the actual cost impacts due to the utility conflict. The original change order was funded utilizing contract contingency line items since that approach minimized schedule impact and allowed the City to process monthly pay requisitions prior to determination of the final cost impact.

The contractor was required to prepare a detailed time impact analysis that has been approved by both Engineering Services and TxDOT. Change Order No. 4 provides a final reconciliation for the costs related to the AT&T conflict and replenishes the contingency line items that were previously used to allow partial payments to the contractor for the AT&T conflict resolution work.

The situation that led to the utility conflict is neither the fault of the City or contractor. The Legal Department will be approaching potentially responsible parties to seek recovery for these costs.

**OTHER CONSIDERATIONS:**

None

**ALTERNATIVES:**

1. Authorize execution of Change Order No. 4. (Recommended)
2. Do not authorize execution of Change Order No. 4. (Not Recommended)

**CONFORMITY TO CITY POLICY:**

Complies with statutes regarding construction procurement criteria; and complies with City Fiscal Policy.

**EMERGENCY / NON-EMERGENCY:**

Not applicable

**DEPARTMENTAL CLEARANCES:**

Street Department

**FINANCIAL IMPACT: Capital Budget**

<b>Fiscal Year 2016-2017</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	10,854,941.71	166,091.25		11,021,032.96
Encumbered / Expended Amount	9,945,949.23			9,945,949.23
<b>This item (change order)</b>		<b>166,091.25</b>		<b>166,091.25</b>
Future Anticipated Expenditures	908,992.48			908,992.48
BALANCE	0.00	0.00		0.00

Fund(s): Storm Water CIP

**RECOMMENDATION:**

Engineering Services recommends approval of Change Order No. 4 with Reytec Construction Resources, Inc. of Houston, Texas in the amount of \$166,091.25 for Williams Drive Phase 3 from Staples Street to Airline Road BOND 2012.

**LIST OF SUPPORTING DOCUMENTS:**

Project Budget  
Location Map  
Presentation  
Change Order No. 4  
Form 1295 – Reytec Construction Resources, Inc.