

CITY COUNCIL MEMORANDUM

AGENDA ITEM

AUTHORIZE CHANGE ORDER NO. 53 TO THE US 190/FM 2410/ROSEWOOD DRIVE PASS-THROUGH FINANCING CONTRACT WITH JAMES CONSTRUCTION GROUP, LLC.

ORIGINATING DEPARTMENT DIVISION

PUBLIC WORKS - TRANSPORTATION

BACKGROUND INFORMATION

On January 8, 2013 (CCM/R 13-001R), the City Council awarded a construction contract to James Construction Group, LLC for the Pass Through Financing (PTF) Project, US 190/FM 2410/Rosewood Drive. This project includes the construction of an overpass at the intersection of US 190 and Rosewood Drive, the widening of FM 2410, and the construction of Rosewood Drive from US 190 to Fawn Drive.

DISCUSSION/CONCLUSION

Change Order No. 53 is necessary to compensate the contractor for various east bound main lane roadway repairs. Although the contractor is generally responsible for routine maintenance of the roadway, the extent of the repairs over the course of the project exceeds routine maintenance as contemplated by the contract.

After evaluation of the contractors' bid documents, investigation of the roadway failures, and ongoing discussions with the contractor and Texas Department of Transportation staff, City staff concurs that a portion of the detour repairs are beyond routine maintenance contemplated by the contract. The total cost of the east bound main lane repairs to date is \$151,580.94. Based on all factors, reasonable compensation to the contractor totals 60%, or \$90,948.56, to offset the contractor's total incurred cost for the repairs.

FISCAL IMPACT

Change Order No. 53 will increase the expenditure for the Project in the Pass-Thru Finance US 190/FM 2410/Rosewood Drive, General Obligation Bonds, US 190/FM 2410/Rosewood Drive Account #341-3490-800.58-23. The total cost of the change is a net increase of \$90,948.56 for an updated total contract price of \$22,568,813.61; or a cumulative 2.81% increase to the contract.

RECOMMENDATION

City staff recommends that the City Council authorize Change Order No. 53 with James Construction Group, LLC increasing the cost of the contract by \$90,948.56 and further authorize the City Manager to execute the same.