

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**AUTHORIZE CHANGE ORDER NO. 29 TO THE
US 190/FM 2410/ROSEWOOD DRIVE
PROJECT**

ORIGINATING DEPARTMENT

**PUBLIC WORKS - TRANSPORTATION
DIVISION**

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, also known as the US 190/FM 2410/Rosewood Drive Project. 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. 29 is necessary to compensate the contractor for various west bound main lane detour repairs. Although the contractor is generally responsible for routine maintenance of detours, 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 detour 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 west bound main lane repairs to date is \$94,297.22. Based on all factors, reasonable compensation to the contractor totals 60%, or \$56,578.33, to offset the contractor's total incurred cost for the repairs.

FISCAL IMPACT

Change Order No. 29 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 \$56,578.33 for a total contract price of \$22,229,557.16, which, when combined with previous change orders to date, represents a cumulative 1.26% increase to the original contract.

RECOMMENDATION

City staff recommends that the City Council authorize the City Manager to execute Change Order No. 29 with James Construction Group, LLC.