

TOLL 49 SEGMENT 4 PROGRESS REPORT



*JANUARY 2018
PROGRESS REPORT NO. 19*

RS&H





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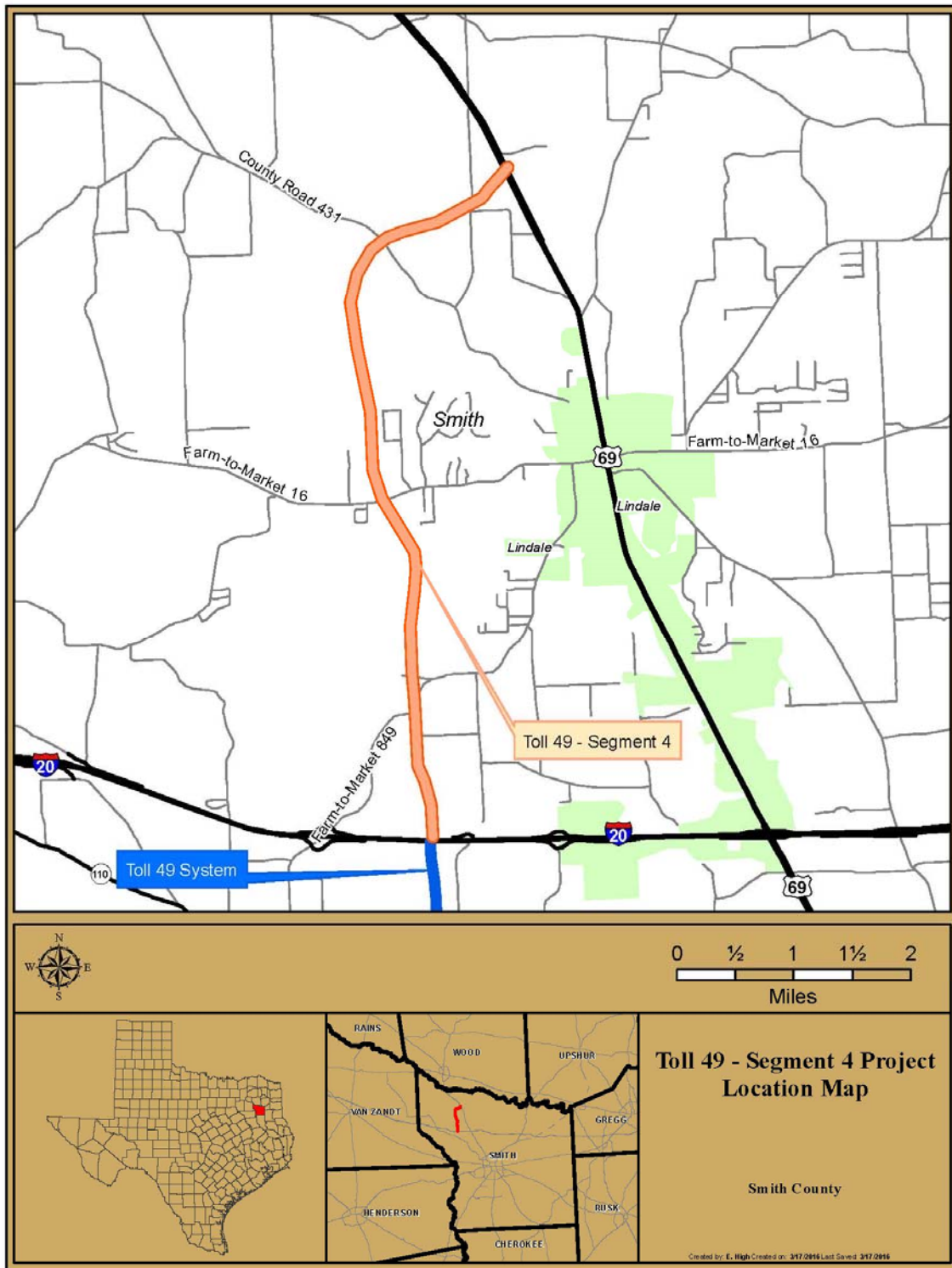
1.1 INTRODUCTION

This report documents and describes the development and construction of the Toll 49 Segment 4 Project during the period from December 1, 2017 through January 1, 2018. This Project is being developed and constructed by the North East Texas Regional Mobility Authority ("the Authority"). The Segment 4 Project is funded by Series 2016A Senior Lien bonds, and funds committed by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT).

1.2 PROJECT DESCRIPTION

The Segment 4 Project extends along new alignment from US 69 in the City of Lindale south to IH 20, north of the City of Tyler in Smith County, Texas. The Segment 4 Project connects with Toll 49 Segment 3B, extending Toll 49 by a length of approximately 6.6 miles. The Segment 4 Project consists of an interim two-lane access controlled tollway with grade separations at major cross streets, and toll collection facilities. The interim two-lane facility may be expanded to its ultimate four-lane configuration as traffic demand warrants and funding sources are identified in the future. The Segment 4 Project includes the construction of an at grade intersection at US 69, a diamond interchange including access ramps at FM 16, access ramps south of SH 110, and a three level interchange at IH 20. Continuous access/frontage roads will not be constructed as part of the Segment 4 Project.

FIGURE 1: Project Location Map



1.3 DEVELOPMENT ACTIVITIES

1.3.1 Right-of-Way

To date, the Authority has either acquired, or acquired access rights to, all forty-two project parcels. Condemnation proceedings are ongoing to complete acquisition of the final three parcels.

TABLE 1: RIGHT-OF-WAY PARCEL STATUS

Parcel	Acreage	Estimated Acquisition	
		Date	Status
202	3.93	NTP	Closed
203	1.44	Acquired	Closed
204	0.73	NTP + 75 Days	Closed
205	0.52	NTP	Closed
206	2.42	NTP	Closed
207	0.40	NTP	Closed
208	7.03	NTP + 75 Days	Closed
			The Authority has taken possession Parcel is accessible to Contractor
209	12.47	15-Jul-16	Condemnation proceedings ongoing
210	0.84	15-Jul-16	Closed
			The Authority has taken possession Parcel is accessible to Contractor
213	39.13	NTP	Condemnation proceedings ongoing
214	9.95	NTP	Closed
215	36.64	NTP	Closed
			The Authority has taken possession Parcel is accessible to Contractor
216	28.31	NTP	Condemnation proceedings ongoing
217	8.39	NTP	Closed
218	5.61	NTP	Closed
219	21.01	NTP	Closed
220	1.35	NTP	Closed
221	5.69	NTP + 30 Days	Closed
222	2.46	NTP + 30 Days	Closed
223	0.13	NTP + 30 Days	Closed
224	0.17	NTP + 30 Days	Closed
225	0.04	NTP + 30 Days	Closed
226	11.63	NTP + 30 Days	Closed
227	3.18	NTP + 60 Days	Closed
229	22.23	NTP + 60 Days	Closed
230	3.22	NTP + 60 Days	Closed

Parcel	Acreage	Estimated Acquisition	
		Date	Status
231	4.25	NTP + 60 Days	Closed
232	14.47	NTP + 60 Days	Closed
233	1.52	NTP + 60 Days	Closed
235	0.85	NTP + 60 Days	Closed
236	9.71	NTP + 60 Days	Closed
237	0.41	NTP + 60 Days	Closed
238	22.66	NTP + 60 Days	Closed
239	1.04	NTP + 60 Days	Closed
240	13.39	NTP + 60 Days	Closed
241	0.36	NTP + 60 Days	Closed
242	11.04	NTP + 60 Days	Closed
243	9.16	NTP + 60 Days	Closed
244	19.14	NTP	Closed
245	5.81	NTP	Closed
246	0.10	NTP + 30 Days	Closed
247	0.07	NTP + 60 Days	Closed

1.3.2 Utilities

The Authority has initiated the adjustment of all of the privately-owned utilities impacted by the Segment 4 Project. Relocation design and construction is being performed by the utility owners with 100% reimbursement from the Authority. The Authority has executed relocation agreements with all eleven privately owned utilities impacted by the Segment 4 Project and has issued NTP for the relocation of these facilities.

Due to coordination and construction timeframes, the relocations for some utilities are not anticipated to be complete within the contract's estimated completion dates. It is not anticipated that these relocations will impact the Project critical path.

TABLE 2: UTILITY RELOCATION STATUS

Utility Company	Estimated Relocation Completion Date	Status
AT&T (SBC)	NTP+120	Relocation is ongoing
CenterPoint Energy	NTP+120	Relocation is complete
City of Lindale	N/A	Webber to relocate as part of construction
Crystal Systems Water	N/A	Relocation is complete
East Texas Electric Cooperative	1-Jan-17	Relocation is complete
Enbridge	No conflict	No conflict identified, no relocation
Gulf South	NTP+90	Relocation is complete
Lindale Rural WSC	N/A	Relocation is complete
MHM Pipeline	Relocation will begin 2 weeks after clearing	Relocation is complete
Oncor Electric Delivery (Distribution)	NTP + 90 to 120 Days	Relocation is complete
Oncor Electric Delivery (Transmission)	1-Nov-16	Relocation is complete
Peoples Telephone Cooperative	NTP + 0 to 60 Days	Relocation is complete
SuddenLink	NTP + 150 Days	Relocation is complete
Wood County Electric	NTP +110 Days	Relocation is complete
Zayo	NTP +150 Days	Relocation is ongoing

1.3.3 Archeological Survey

During archeological survey undertaken in support of a utility relocation on the project in July of 2016, archeologists encountered a previously unrecorded archeological site within the project right of way. The archeological site was located on the northern end of the project and spanned the entire width of the ROW. Throughout the course of the archeological investigation, the Contractor has been allowed only limited access to the right-of-way near the archeological site, impeded earthwork activities, and resulted in the demobilization of the earthwork contractor during late 2016 and early 2017.

Access was restored to a northern portion of the site totaling approximately 39 acres in April 2017. With TxDOT and Texas Historical Commission approval in April, the Contractor cleared a 30' construction haul road along the eastern edge of the ROW through the remaining six acre southern portion, further expanding access and allowing the transport of materials and construction equipment along the Project ROW.

In October 2017, the NET RMA board approved two Change Orders, No. 12 and 13, associated with a time impact analysis extending the project schedule by six months and increasing the construction contract amount by approximately \$1.6 million for time related overhead expenses and earthwork demobilization and remobilization costs. Final clearance of the site was received on December 1, 2017 and the Contractor has been granted full access to resume construction activities at this location.

The NET RMA has negotiated an additional Change Order with the Contractor to settle claims associated with delays caused by the archeological survey. Execution of this Change Order No. 14 is anticipated in January 2018 and increases the not exceed amount of the construction contract by \$2.7 million. Roughly \$1.4 million of the not to exceed amount represents a lump sum settlement payment to be paid to the Contractor should he meet the February 6, 2019 Substantial Completion date. Should Substantial Completion occur after February 6, 2019, this \$1.4 million lump sum amount will be decreased by \$15,000 per calendar day. The remaining \$1.3 million represents a not to exceed amount intended to cover costs associated with the increased erosion control activities required to maintain the project during the extended construction schedule. The erosion control costs do not account for costs associated with removal of sediment from outside the project ROW or additional seeding needed to establish ground cover.

1.4 PROGRESS PHOTOS

1.4.1 Earthwork

With the expanded access to the archaeological site, the Contractor has completed almost all major earthwork activities. Final major outstanding earthwork activities include embankment at the recently cleared archeological area, embankment south of IH 20, and excavation at existing FM 849 for the Toll 49 main lanes. This final excavation work will be performed following the completion of the new FM 849 pavement.



Earthwork at recently cleared archaeological site south of CR 431



Embankment south of IH 20 for the northbound exit ramp from Toll 49 to IH 20

1.4.2 Drainage Structures

The Contractor has completed construction of all major cross culverts, and storm sewer is complete with the exception of three drop inlets, two near FM 16, one at CR 4118, and one section of concrete storm drain pipe at FM 16.



Drop inlet installation for storm sewer
south of FM 16



Storm sewer area inlet south of FM 16

1.4.3 Bridge & Wall Structures

All bridges are complete except for the IH 20 main line overpass. On the IH 20 main lane overpass, concrete deck is nearly complete, and the Contractor has completed installing the permanent metal decking and deck panels in preparation for the installation of the concrete deck on the remaining spans. Pictured is the installation of the overhang forms in preparation for concrete pours for the bridge deck. The construction of rip rap at bridge abutments throughout the project also continues.



Rip rap construction at Davis Branch
bridge abutment



Installing overhang forms at IH 20 mainline
overpass

1.4.4 Erosion Control

The Contractor continues environmental control activities such as maintaining silt fence, soil retention blankets, and rock filter dams as needed throughout the project to prevent erosion. Topsoil, compost, seeding, and mulch hay placement is also ongoing at various locations. Due to rain events in late December, focused efforts by the Contractor are anticipated in early January to repair and replace erosion controls.



Hay mulch on roadway side slope south of Stevenson Branch near Culvert No. 8



Installing top soil on side slopes south of FM 16

1.4.5 Subbase & Pavement

In December, the Contractor completed prime coat activities and placed the first two inches of asphalt from IH 20 to FM 849.



Flexible base installation north of FM 16



Roadway primed between IH 20 and existing FM 849

1.5 PROGRESS NARRATIVE

The Contractor progressed work through the 15th of December, however, due to inclement weather in mid-December followed by the holidays, minimal work was performed in the second half of the month. The Contractor continued maintaining erosion control items including silt fence, rock filter dams, erosion control blankets, and temporary seed as needed to prevent erosion during the first half of December. However, focused efforts will be required early in January to repair and replace erosion controls.

Clearing and grubbing activities are complete, and embankment continues both at the cleared archaeological site and south of IH 20. Due to heavy rains in December, some additional embankment work will be required at the FM 16 and SH 110 ramps. The last major excavation section will be completed for the Toll 49 main lanes at existing FM 849 once the realignment of the cross street has been completed.

All bridges on the project are complete with the exception of the IH 20 main lane overpass. The concrete deck is mostly complete, and the contractor completed the installation of overhang forms, permanent metal decking, and deck panels in December in preparation for placing the remaining deck. Installation of the deck on the final bridge spans is anticipated in January 2018. Rip rap construction is complete at all bridge abutment locations with the exception of Davis Branch, Davis Branch Tributary, and CR 431.

All MSE and CIP retaining wall construction is complete on the project. Construction of project culverts and storm sewer is complete with the exception of three drop inlets and one section of concrete pipe near FM 16 and CR 4118. Grading and rip rap construction is still ongoing for drainage ditches throughout the Project.

Flexible base, prime coat and asphalt activities progressed in the month of December with the Contractor placing flexible base just north of FM 16 for the Toll 49 main lanes. The Contractor also completed prime coat and placed the first two inches of asphalt from IH 20 to FM 849.

Table 3 below reflects construction progress based on the Contractor's schedule of values and approved construction draws.

TABLE 3: CONSTRUCTION PROGRESS

Construction Activity	Percent Complete
Mobilization	90.00%
Traffic Control	76.50%
Earthwork	97.96%
Drainage	64.91%
Sub-base and Base Course	33.26%
Pavement	12.68%
Structures	92.32%
Pavement Markings and Signals	22.71%
Environmental	68.77%
Extra Work Items	56.63%
Change Orders	18.27%

1.6 FINANCIAL SUMMARY

Table 4 shows the overall financial status for the Toll 49 Segment 4 project through January 1, 2018. The original budget established for the Project and the expenditures to date are provided. An estimated cost remaining and an estimate at completion are also provided.

TABLE 4: FINANCIAL STATUS SUMMARY

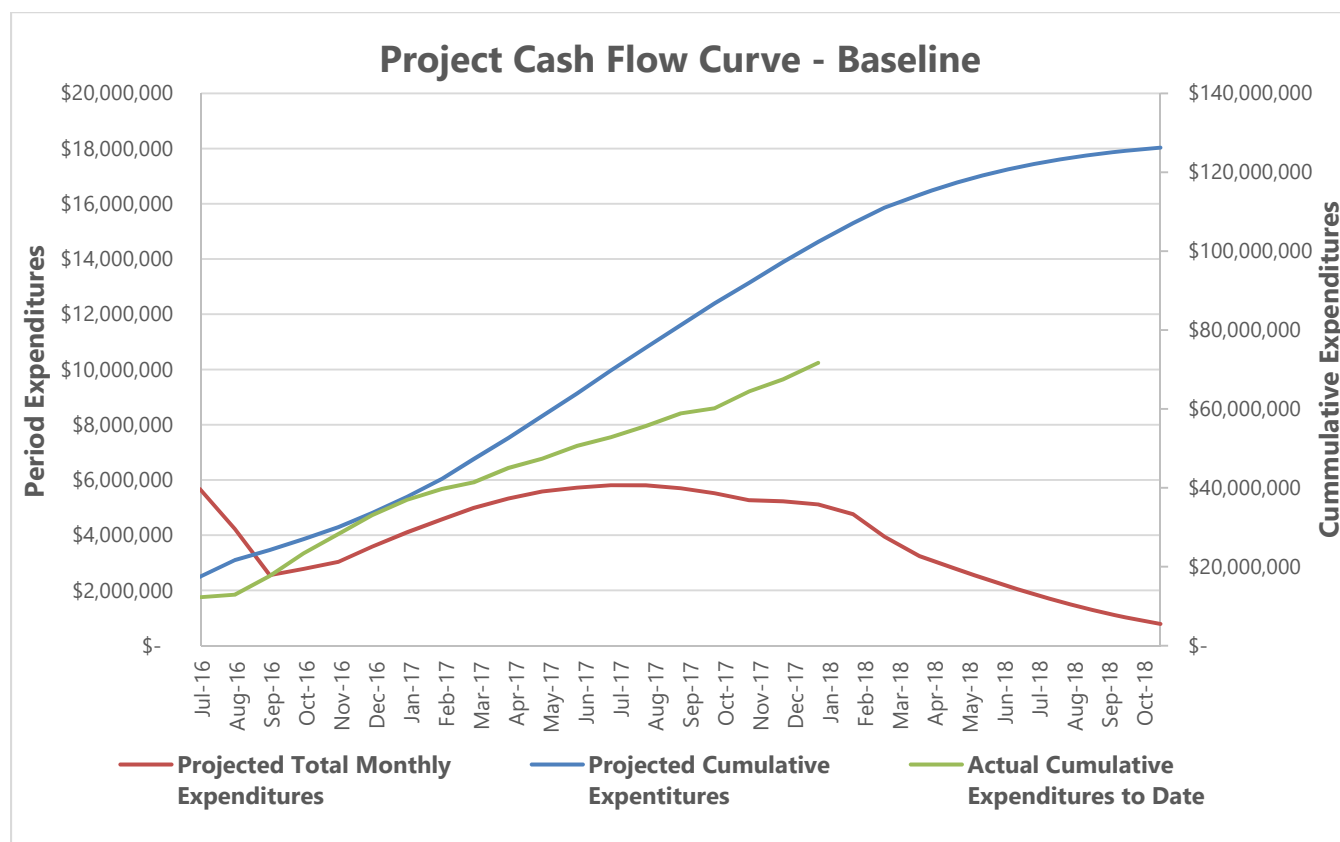
Project Description	Original Cost Estimate (\$)	Expenditures to Date (\$)	Estimated Remaining Cost (\$)	Estimate at Completion (\$)
Toll 49 Segment 4	\$126,220,000	\$71,74,758.13	\$54,515,241.87	\$126,220,000

Note: These costs include Traffic & Revenue studies costs, ROW survey and mapping costs, Final Engineering costs, Utility Relocation costs, Oversight costs, Construction (including GEC costs), and approximately \$16.5 million in remaining contingencies.

1.6.1 Project Cash Flow Curve – Baseline

Figure 2 summarizes the actual project costs to date through this reporting period in comparison to the projected project costs.

FIGURE 2: PROJECT CASH FLOW CURVE - BASELINE



Note: "Projected Cumulative Expenditures" includes both projected project expenditures and project contingencies.

1.7 CONSTRUCTION FINANCIAL STATUS

The following summary provides the financial status of the Project.

Original Contractor Amount:	\$68,760,000.00
<i>Authorized Changes (Change Order and/or Amendments):</i>	
Change Order No. 1 ¹	\$0.00
Change Order No. 2	\$26,247.38
Change Order No. 3	\$17,257.93
Change Order No. 4	\$156,926.00
Change Order No. 5	\$100,000.00
Change Order No. 6	\$34,276.66
Change Order No. 7	\$3,721.82
Change Order No. 8	\$4,231.40
Change Order No. 9	\$304,851.40
Change Order No. 10	\$200,000.00
Change Order No. 11 ²	\$4,389,160.65
Change Order No. 12 ³	\$1,078,075.83
Change Order No. 13	\$493,609.77
	<hr/>
Current Authorized Contract Amount:	\$75,568,358.84
Previous total of Contractor Payments:	\$46,527,280.58
Amount Paid this Reporting Period:	<hr/> \$2,794,649.13
Total Amount Paid To-Date:	\$49,321,929.75
Retainage withheld:	<hr/> \$0.00
Approved Amount for work completed (through Draw No. 17):	\$49,321,929.75
Amount remaining for work to be completed:	\$26,246,429.09
Total Percent of Budget Expended though December 31, 2017:	65.28%

Footnotes:

1. Change Order No. 1 did not result in a change in price
2. Change Order No. 11 included a 56 day time extension
3. Change Order No. 12 included a 179 day time extension

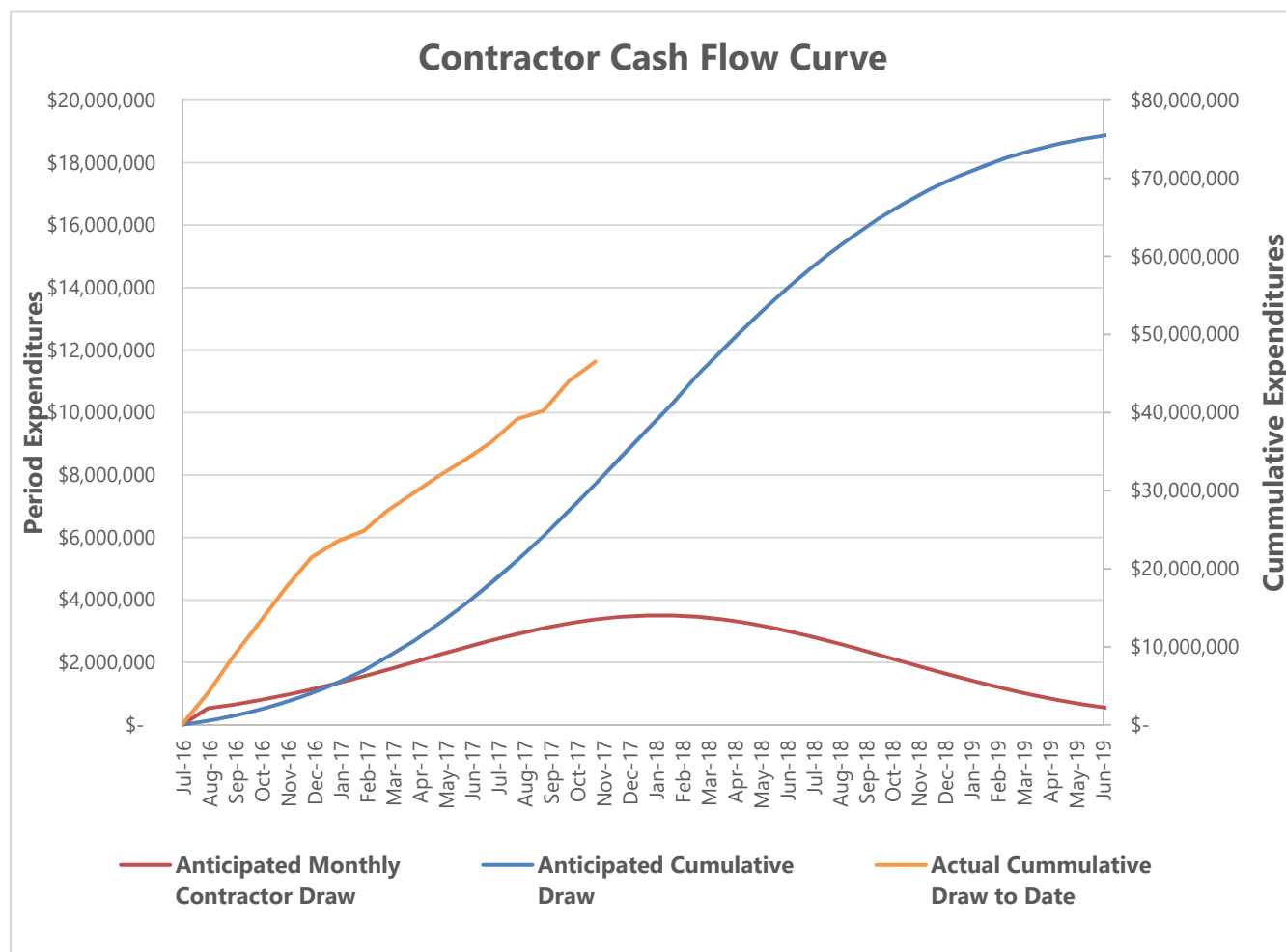
1.7.1 Summary of Change Orders This Reporting Period

There were no Change Orders executed during the reporting period.

1.7.2 Contractor Cash Flow Curve

Figure 3 summarizes the actual Contractor draws to date through this reporting period in comparison to the projected Contractor draws.

FIGURE 3: CONTRACTOR CASH FLOW CURVE



Note: Contractor Cash Flow Curve includes both price and schedule revisions associated with approved Change Orders.

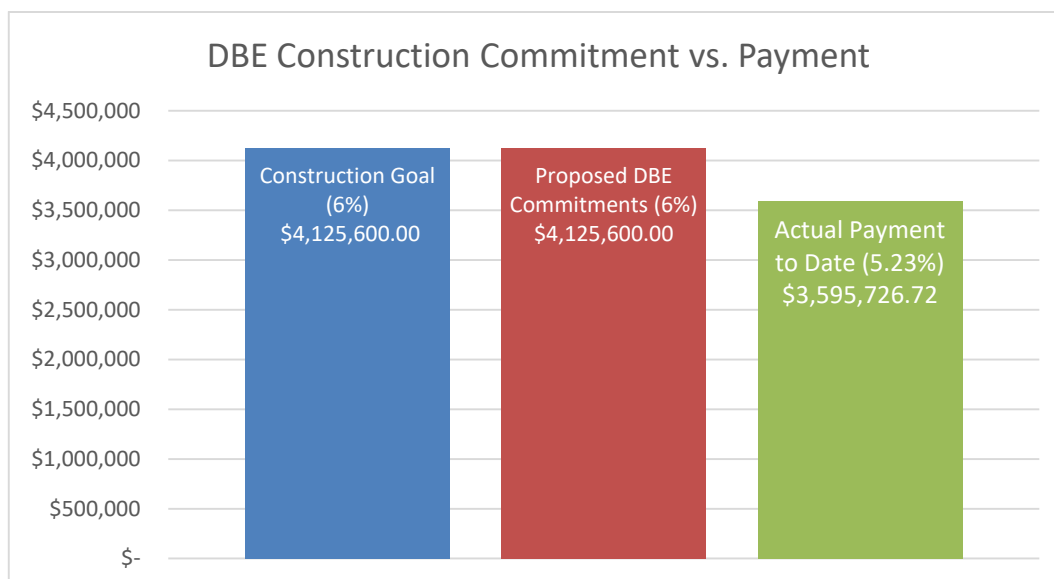
1.8 DBE STATUS

The Contractor is required to meet the Disadvantage Business Enterprise (DBE) goal of 6% for the Segment 4 Project. The Contractor has proposed costs associated with DBE development work in the amount of \$4,125,600.00 which equals 6.00% of the original contract value. This represents approved subcontracts with the following firms: Rambo Contracting INC (culverts, inlets, headwalls, and wing walls), Texas Environmental Management (stormwater pollution prevent plans and erosion control), MCL Contracting

(rebar tying), Buyers Barricade (advanced warning signs), South Texas Painting (painting), Odum Services LP (metal beam guard fence and guard rail), and A Brothers Milling (milling).

To date, the Contractor has made payments in the amount of \$3,595,726.72 to DBE subcontractors, 5.23% of the original contract amount or 87.16% of their commitment amount.

FIGURE 4: DBE STATUS



1.9 COMPREHENSIVE ENVIRONMENTAL PROTECTION PROGRAM

In accordance with the terms of the Environmental Record of Decision (ROD) and contract requirements, the Contractor was required to develop and implement a Comprehensive Environmental Protection Program (CEPP) applicable throughout the duration of construction to establish the approach, requirements and procedures to be employed to protect the environment. The Contractor's CEPP includes the following component parts:

- » Areas of Special Environmental Interest - Describes steps taken to prevent impacts to at risk, rare species and their habitat as well as historical resources including:
 - Educating employees to recognize these impacts
 - Identifying the areas where construction related activities are not to take place based on the relevant migratory bird timing windows
 - Keeping water work to a minimum and cleaning any equipment which must enter the water both prior and after to mitigate the spread of Zebra Mussels
 - If endangered/rare species or historical/archaeological/paleontological resources are encountered, ceasing working in the area and notifying the engineer or applicable agency for direction on any mitigation action required
- » Environmental Protection Measures include the following:
 - Erosion and sediment control measures

- Preparation for seasonal shutdown
- Protection of wildlife and wildlife habitat
- Proper practices for clearing vegetation
- Appropriate handling and storage of soil
- Protection of wetlands, watercourses (streams), and riparian areas
- Air quality management
- Proper handling and storage of petroleum, oil, lubricant, and other chemicals
- Management of waste
- Constructing, operating, and reclaiming borrow excavations
- Operating concrete batch plants
- Well impacts and requirements
- Recycling program
- » Monitoring and Inspection efforts consist of:
 - Self-Regulatory inspection program
 - Construction Monitoring
 - Post construction monitoring
- » Energy Conservation measures including the following:
 - Reusing and recycling of construction materials
 - Maximizing the use of local materials to reduce hauling
 - Carpooling of workers to and from the jobsite
 - Regular maintenance of equipment to ensure proper working order
 - Reducing energy consumption by turning off equipment and vehicles when not in use
 - Minimizing stops and delays by efficient routing of trucks to and from the jobsite and utilizing off-peak travel times to maximize fuel efficiency
 - Minimizing the need for artificial light by scheduling construction during daytime hours to the extent practicable
 - Maintenance of traffic control plan that minimizes lengthy detours or delays for motorists.
- » The Environmental Protection Training Plan educates non-administrative employees to:
 - Recognize the overall importance of environmental issues
 - Recognize environmental impacts as they relate to construction
 - Know what actions to take to minimize impacts
- » The Communication Plan provides contact information for the Environmental Manager, Superintendent, Project Engineer and Project Manager

Per the CEPP, the contractor has conducted the following activities:

- » Submitted for and posted TCEQ Notice of Intent (NOI) for stormwater discharges. The NOI and large construction site notices are posted on the Contractor's Equal Employment Opportunity board in front of the field office to address accessibility concerns.
- » Implemented proper vegetation clearing practices including installing sediment and erosion control measures prior to beginning the clearing and grubbing work.

- » Minimized disturbance to aquatic resources during clearing and grubbing by installing silt fence between the construction site and watercourse to prevent sedimentation and equipment from encroaching on protected areas and installing temporary crossings to allow construction equipment to cross various tributary streams.
- » Focused on addressing several erosion control items identified in a March 2017 letter from TCEQ by installing additional rock filter dams, erosion control blankets, mulch, topsoil, and temporary seeding on back and side slopes as construction progressed and performing silt excavation downstream of areas where erosion control measures were previously inadequate.
- » Continues the maintenance and repair of erosion control measures throughout the jobsite to ensure continued TCEQ compliance and is focused on repairing and replacing measures due to the rains experienced in mid-December of 2017.
- » Reduced the amount of runoff at soil stockpile locations by reducing the grade of the stockpile side slopes.
- » Performed weekly inspections to ensure the measures are operating correctly.
- » Implemented the Environmental Protection Training Plan by providing staff access to the TxDOT Environmental Management System training website.
- » Avoided impacts to streams during construction until mitigation was secured.

APPENDIX A: AERIAL PHOTOGRAPHS (JANUARY 2018)



FIGURE 5: PROJECT AREA SOUTH OF IH 20

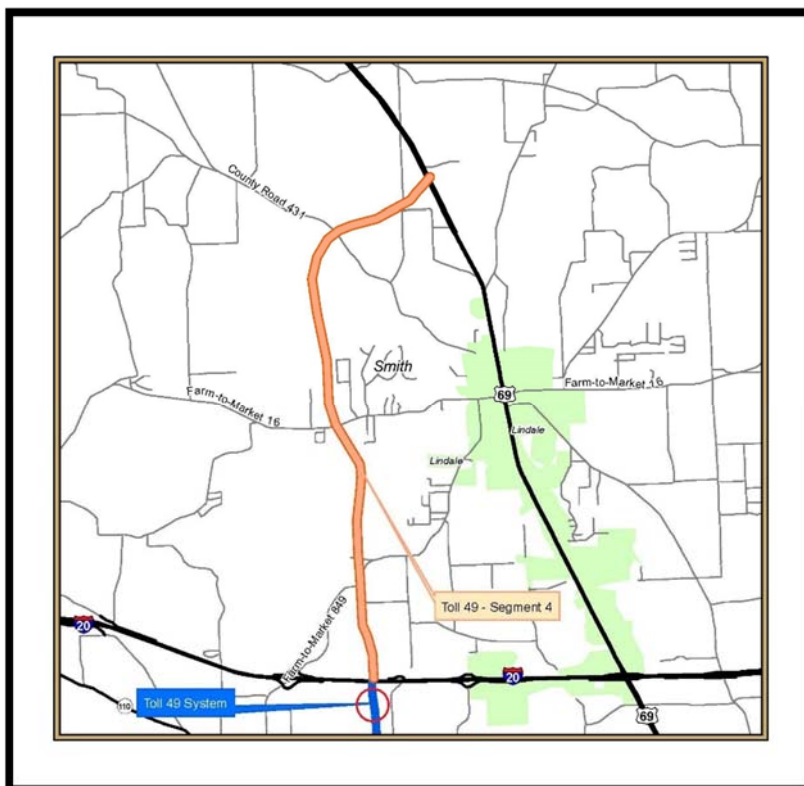




FIGURE 6: PROJECT AREA AT IH 20

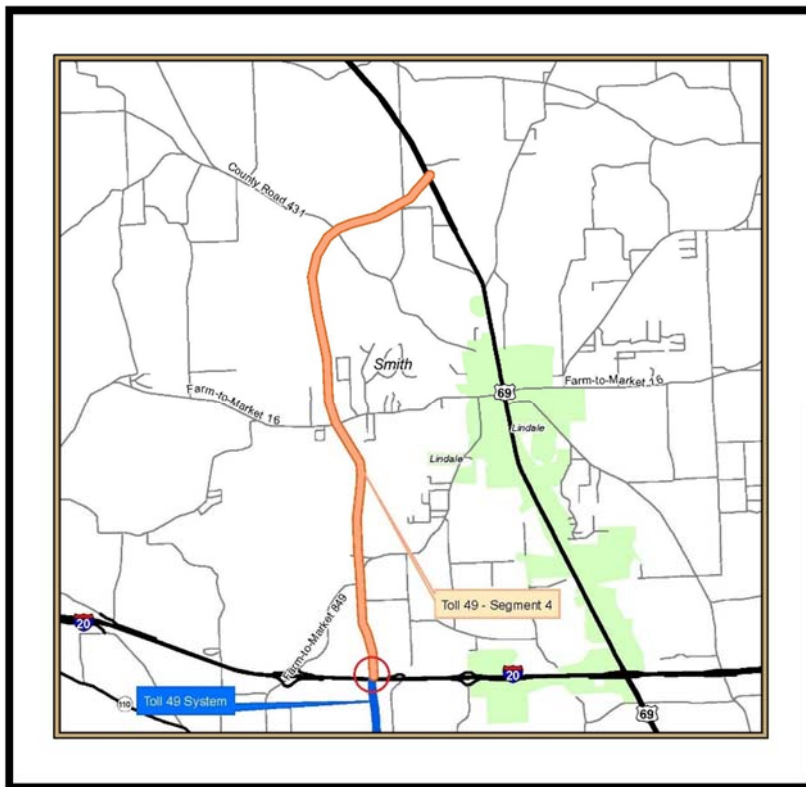




FIGURE 7: PROJECT AREA BETWEEN IH 20 AND FM 849

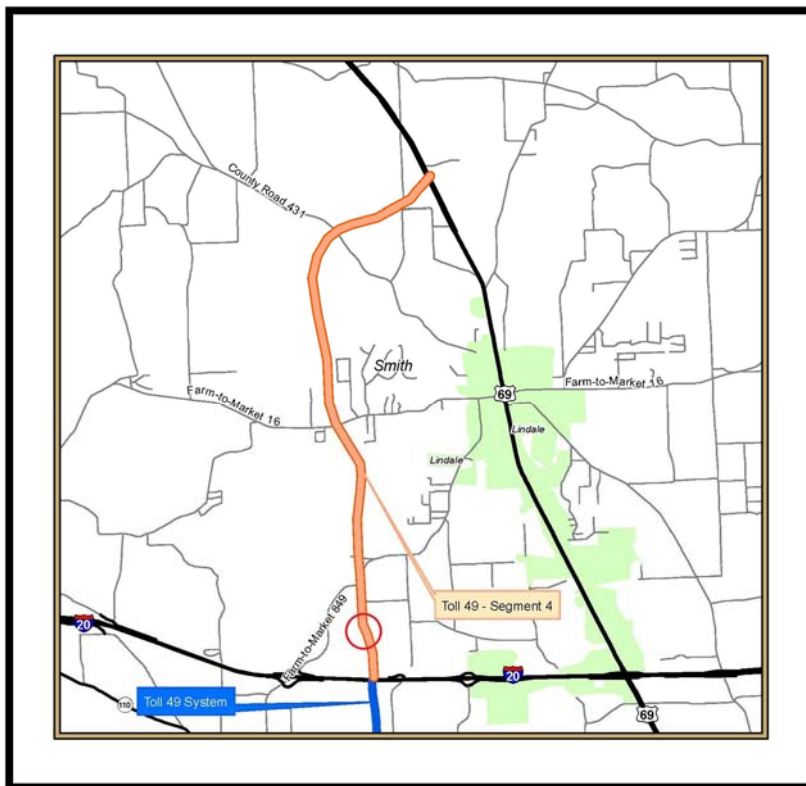




FIGURE 8: PROJECT AREA AT EXISTING FM 849

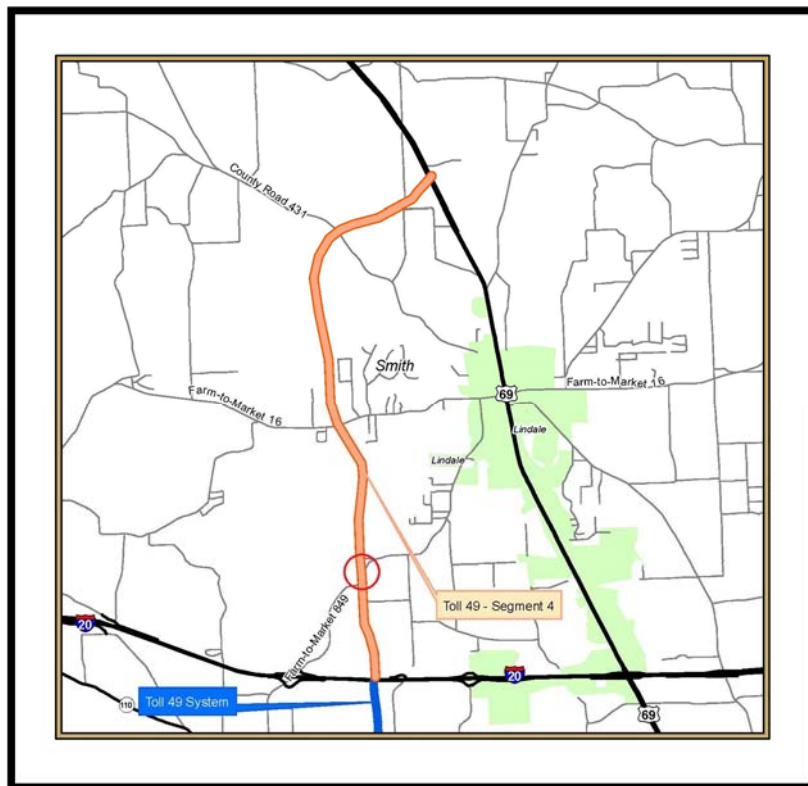




FIGURE 9: PROJECT AREA DAVIS BRANCH TRIBUTARY

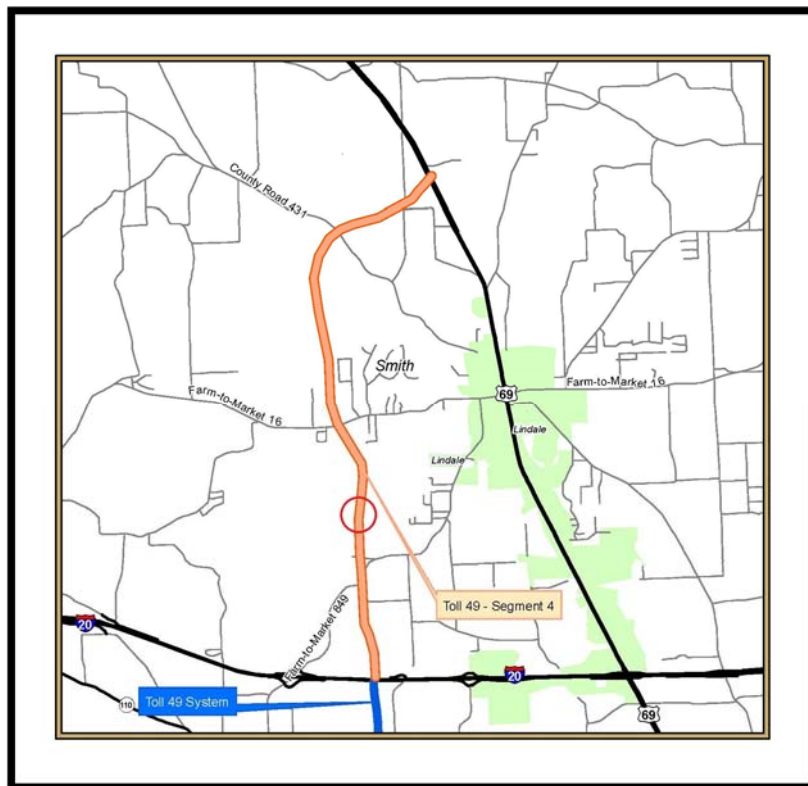




FIGURE 10: PROJECT AREA DAVIS BRANCH

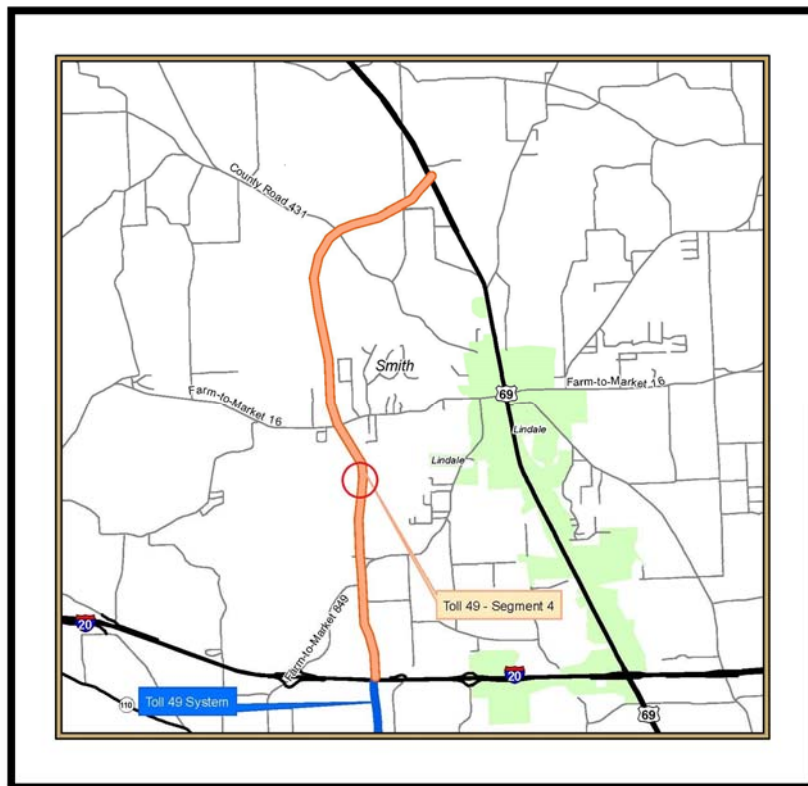




FIGURE 11: PROJECT AREA BETWEEN DAVIS BRANCH AND FM 16

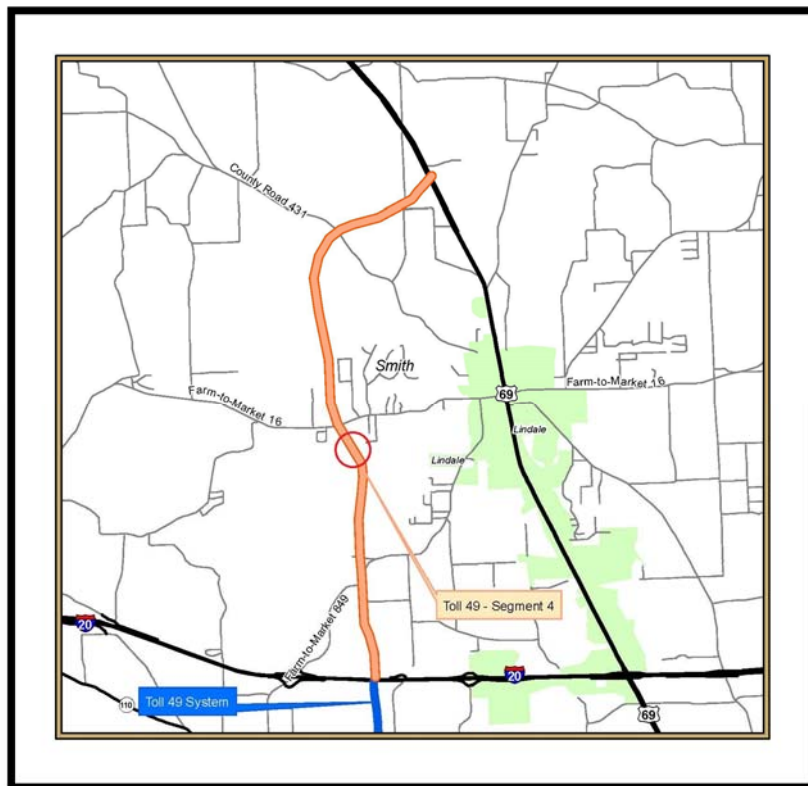




FIGURE 12: PROJECT AREA AT FM 16

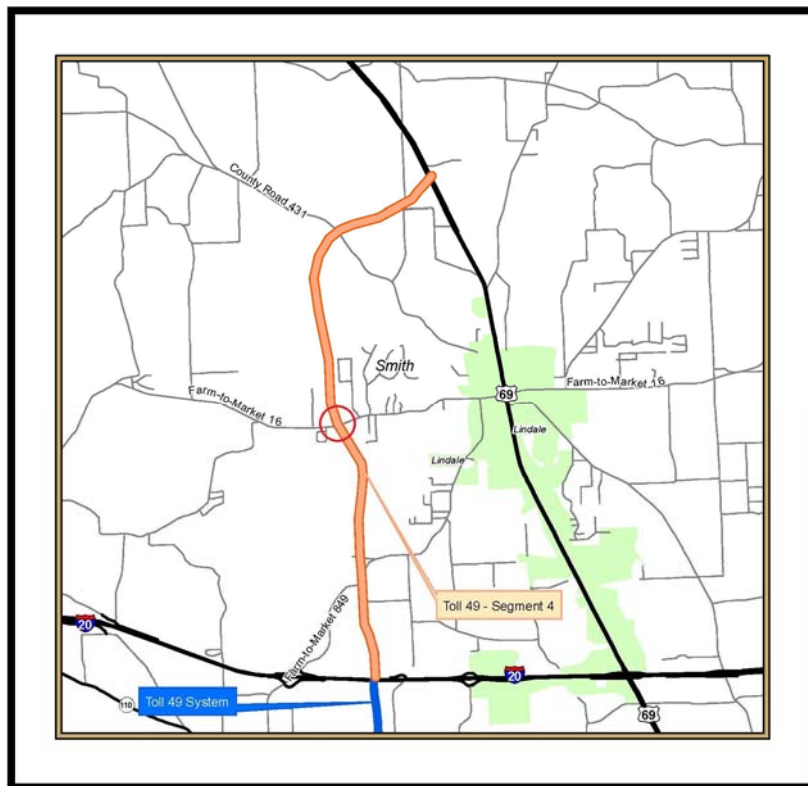




FIGURE 13: QUARRIES NORTH OF FM 16

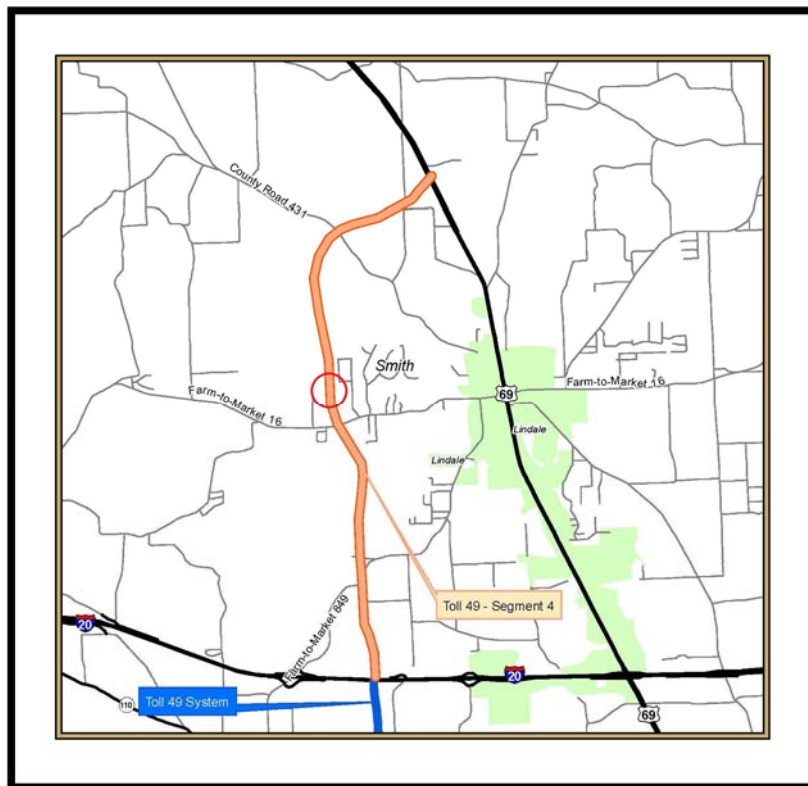




FIGURE 14: PROJECT AREA NORTH OF THE FM 16 QUARRIES

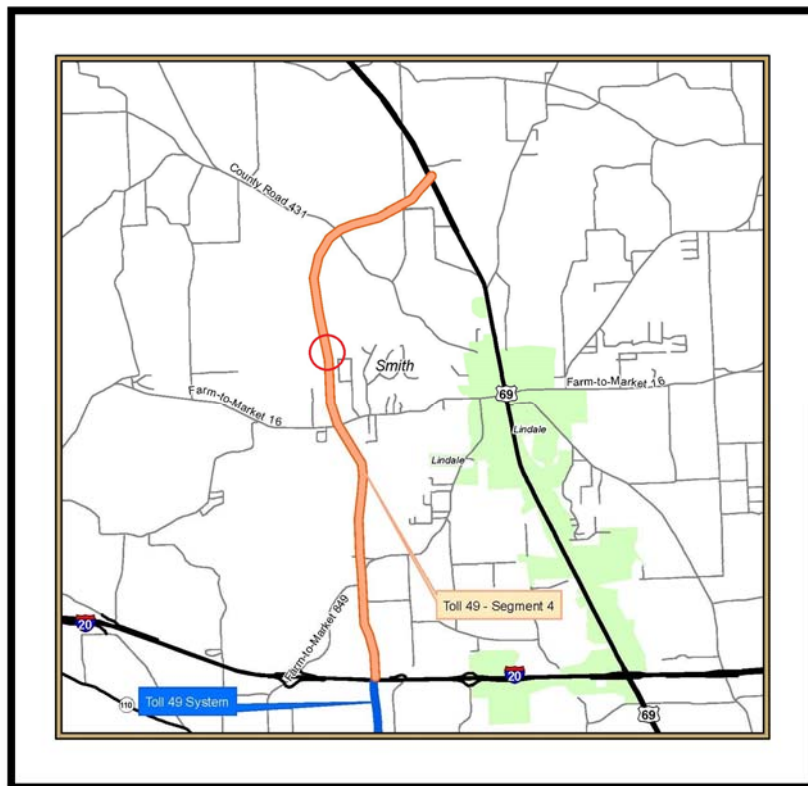




FIGURE 15: PROJECT AREA BETWEEN FM 16 AND CR 341

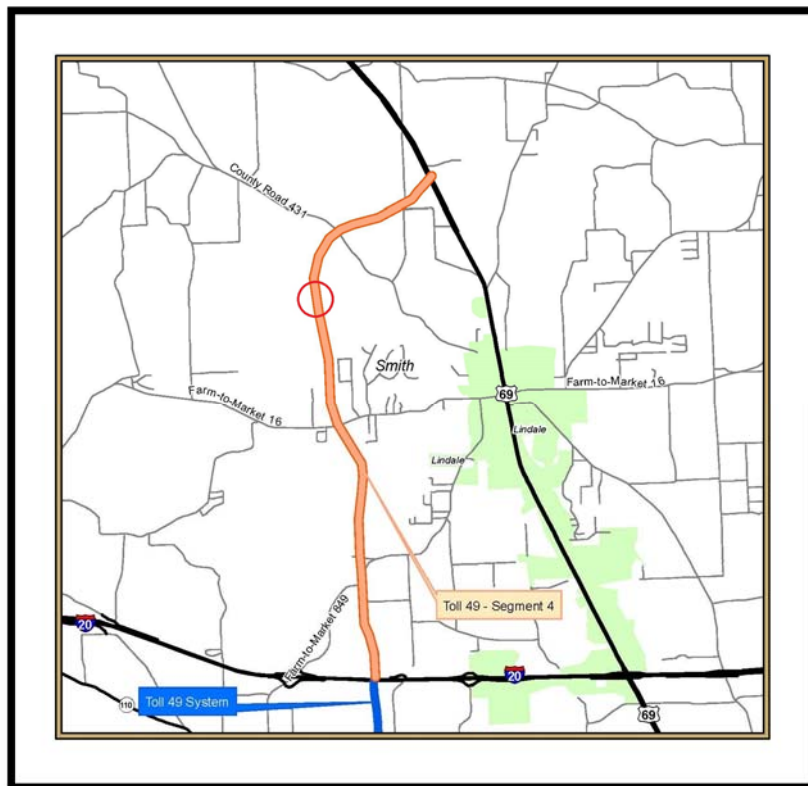




FIGURE 16: PROJECT AREA SOUTH OF CR 431

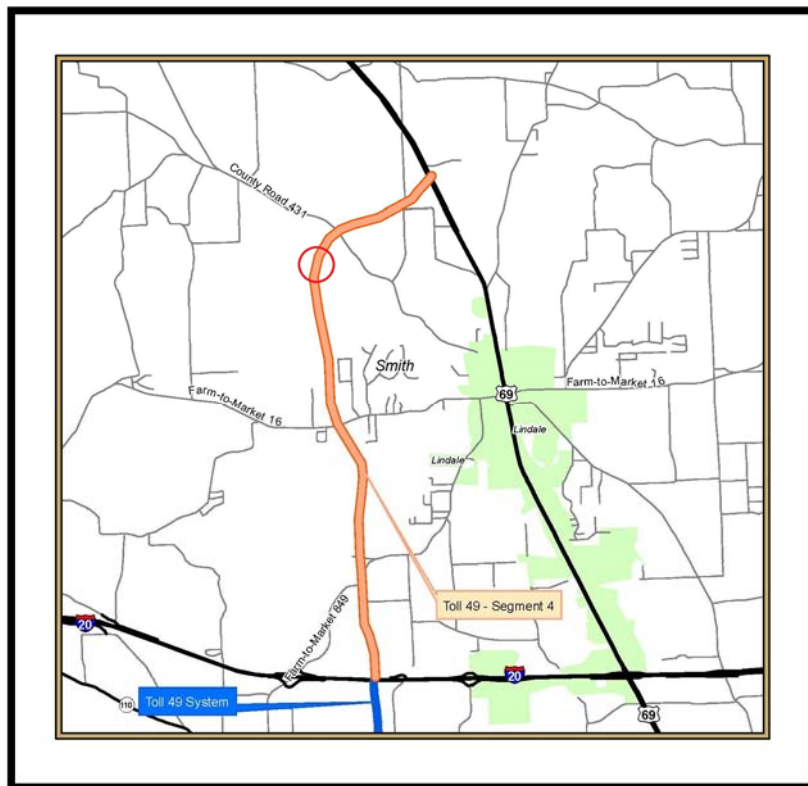




FIGURE 17: PROJECT AREA AT CR 431

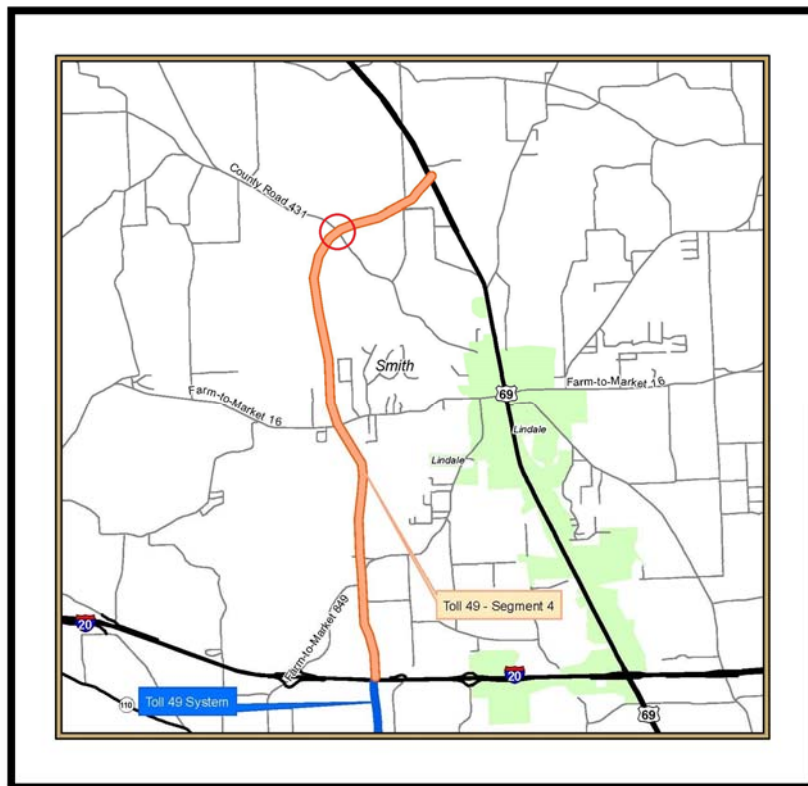




FIGURE 18: PROJECT AREA NORTH OF CR 431

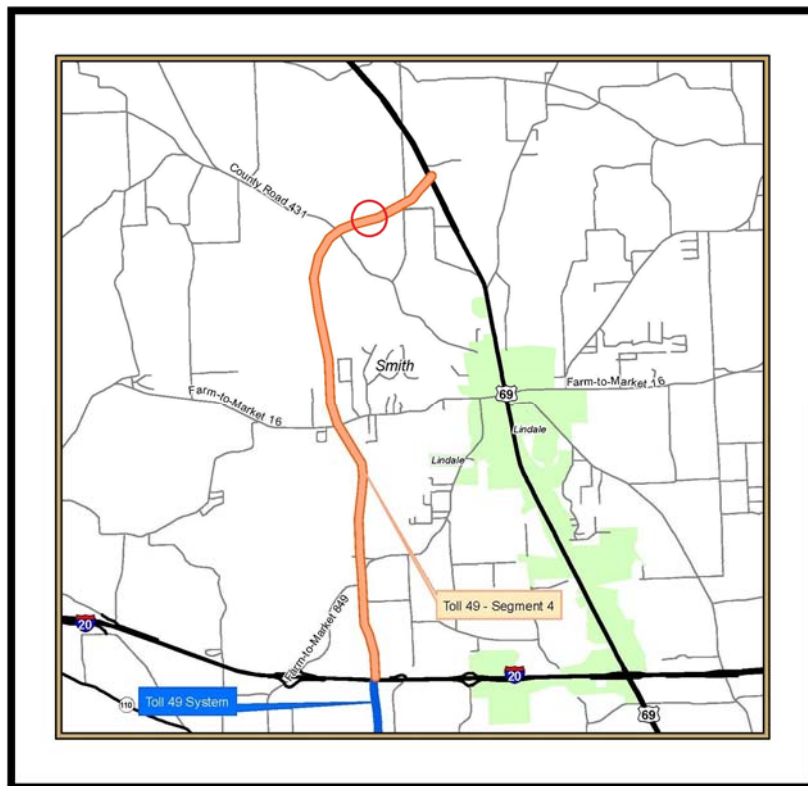




FIGURE 19: PROJECT AREA AT CR 4118

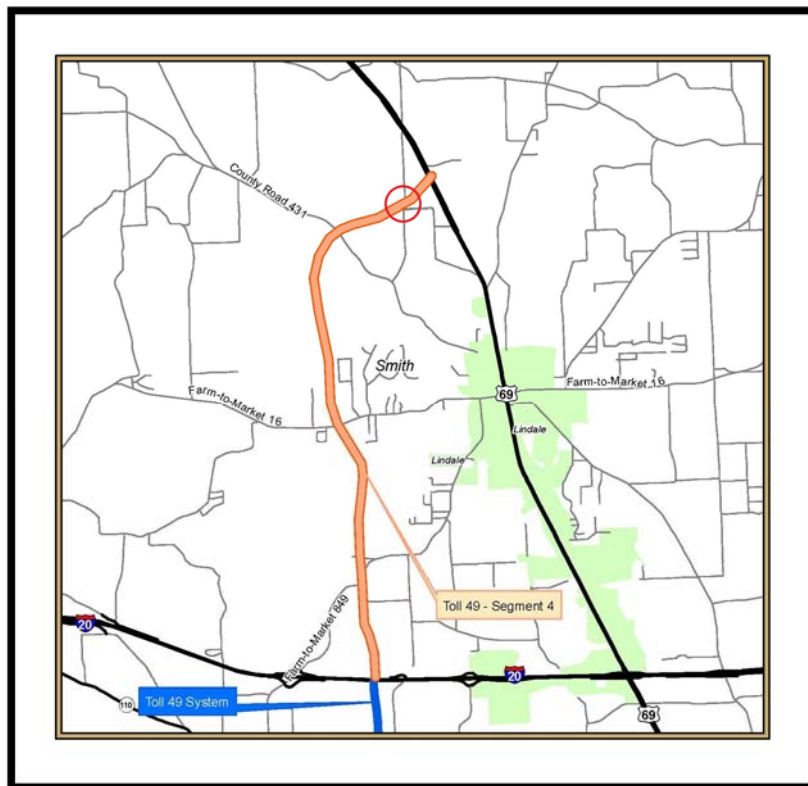




FIGURE 20: PROJECT AREA AT US 69

