

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE NORTH EAST TEXAS  
REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 17-29**

WHEREAS, the North East Texas Regional Mobility Authority ("NET RMA") was created pursuant to the request of Gregg and Smith Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.1, *et seq.* (the "RMA Rules"); and

WHEREAS, the Board of Directors of the NET RMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, subsequent to the initial formation of the NET RMA the Counties of Cherokee, Rusk, Harrison, Upshur, Bowie, Panola, Titus, Van Zandt, Wood, and Kaufman joined the Authority and are represented on the Board of Directors; and

WHEREAS, on May 10, 2016, in Resolution No. 16-43, the NET RMA Board of Directors approved the selection of Reynolds & Kay, Ltd. ("Reynolds & Kay") to provide the NET RMA with slope and drainage channel repairs and improvements on Segment 3B of Toll 49 and authorized the negotiation and execution of an agreement with Reynolds & Kay (the "Agreement") for the provision of such services for an amount of \$1,320,797.40; and

WHEREAS, on June 14, 2016, in Resolution No. 16-60, the NET RMA Board of Directors approved Change Order No. 1.0 to the Agreement for an amount not to exceed \$37,330.00; and

WHEREAS, on December 15, 2016, in Resolution No. 16-103, the NET RMA Board of Directors approved Change Order No. 2.0 to the Agreement for an amount not to exceed \$81,247.12; and

WHEREAS, on February 14, 2017, in Resolution No. 17-08, the NET RMA Board of Directors approved Change Order No. 3.0 to the Agreement for an amount not to exceed \$172,232.57; and

WHEREAS, due to periodic rainfall events, additional erosion repairs have been required on Segment 3B of Toll 49; and

WHEREAS, Reynolds & Kay previously developed a proposed scope of work and budget for additional erosion repairs on Segment 3B of Toll 49; and

WHEREAS, a copy of that proposed scope of work and budget not to exceed \$36,030.00 is contained in Change Order No. 4.0, attached hereto as Attachment "A"; and

WHEREAS, considering the Agreement, previously approved Change Orders Nos. 1.0 through 3.0, and proposed Change Order No. 4.0, the maximum amount to be paid for services under the Agreement is \$1,647,637.09; and

WHEREAS, the NET RMA Executive Director previously executed Change Order No 4.0; and

WHEREAS, it is appropriate for the NET RMA Board of Directors to ratify Change Order No 4.0; and

WHEREAS, the NET RMA general engineering consultant, RS&H, has represented to the Board of Directors that the work reflected in Change Order No. 4.0 is necessary and appropriate.


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors ratifies Change Order No. 4.0 in the form attached hereto as Attachment "A", for an amount not to exceed \$36,030.00; and


BE IT FURTHER RESOLVED, that all work performed under Change Order No. 4.0 is be subject to the Agreement between the NET RMA and Reynolds & Kay and that no additional work may be undertaken without the specific approval of the Board of Directors.

Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 13th day of June, 2017.

Submitted and reviewed by:

Approved:

  
C. Brian Cassidy  
General Counsel for the North East  
Texas Regional Mobility Authority

  
Linda Ryan Thomas  
Chair, Board of Directors  
Date Passed 6/13/17

**REYNOLDS & KAY, LTD.**

CONTRACTORS  
HIGHWAY - HEAVY - UTILITIES

May 16, 2017

MAILING ADDRESS  
P.O. Box 88  
Tyler, Texas 75710



2700 S.S.W. Loop 323  
Tyler, Texas 75701  
TEL: 903-592-0835  
FAX 903-597-2547

Mark W. Hirsch, P.E., Vice President  
RS&H, Inc.  
675 Town Square Blvd., Suite 200  
Garland, Texas 75040

**Re: NET RMA Toll 49  
Segment 3B Slope and Drainage Channel Repairs and Improvements  
Change Order No. 4**

Dear Mark:

Enclosed is partially executed copy of Change Order No. 4 on the above referenced project, which provides for miscellaneous additional work at Areas 1, 2, and 3.

Please furnish one fully executed copy for our file.

Sincerely,

**REYNOLDS & KAY, LTD**

  
L. F. Kay

LFK/cs

Enclosure

cc: Hunter Kay  
Brandon Ashwood



TOLL 49 SEGMENT 3B EROSION CONTROL  
REPAIRS and IMPROVEMENTS PROJECT

CHANGE ORDER NO. 4

Project Information	
Project Name	Toll 49 Segment 3B Erosion Control Repair
CSJ	3487-01-017, 3487-01-018
Owner	North East Texas Regional Mobility Authority (NET RMA)
Description and Reason for the Change Order	
This change order will incorporate additional erosion repairs at RIPRAP and cut two trees at Area 1; Additional gabions at Area 2; and additional gabions and backfill at Area 3.	
Price & Budget	

The work associated with this change order will increase the Contract Value by a maximum amount of \$36,030.00.

**Contract Summary:**

Original Contract Amount:	\$ 1,320,797.40
Previously Approved Change Orders:	\$ 290,809.69
Change Order 4 Amount:	\$ 36,030.00
<b>Contract Max Not to Exceed Amount:</b>	<b>\$ 1,647,637.09</b>

**This amount will not be exceeded without prior authorization from the NET RMA.**

Project Schedule	
Calendar Days Allowed for Completion	30 Calendar Days
Anticipated Start Date	May 1, 2017
Required Completion Date	May 31, 2017
Signatures	
ACCEPTED:  Reynolds & Kay, Ltd.	Signature: <u>[Signature]</u> L. Francis Kay, President Date: <u>5/15/17</u>
APPROVED:  NET RMA	Signature: <u>[Signature]</u> Chris Miller, Executive Director Date: <u>5/24/17</u>



**TOLL 49 Segment 3B**  
**EROSION CONTROL REPAIRS & IMPROVEMENTS**

**CHANGE ORDER #4**

LINE NO.	TXDOT ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
<b>AREA 1</b>						
1	401	FLOWABLE FILL	CY	1	\$1,200.00	\$1,200.00
2	100	PREP ROW (TREE) (LESS THAN 24")	EA	2	\$600.00	\$1,000.00
<b>AREA 2</b>						
1	458	GABION (3' x 3')(GALV)	CY	16	\$340.00	\$5,440.00
2	480	CLEAN EXISTING CULVERT	EA	1	\$10,000.00	\$10,000.00
<b>AREA 3</b>						
1	458	GABION (3' x 3')(GALV)	CY	8	\$340.00	\$2,040.00
2	400	CEMENT STAB BACKFILL (INLET OR MH)	CY	9	\$150.00	\$1,350.00
3	480	CLEAN EXISTING CULVERT	EA	1	\$10,000.00	\$10,000.00
		<b>SUBTOTAL</b>				<b>\$31,030.00</b>
		<b>CONTINGENCY</b>	<b>DOL</b>	<b>5,000</b>	<b>\$1.00</b>	<b>\$5,000.00</b>
		<b>TOTAL MAXIMUM PRICE:</b>				<b>\$36,030.00</b>

**TOLL 49 MAINTENANCE REPAIR CONTRACT**  
**SLOPE EROSION AND DRAINAGE REPAIRS AND IMPROVEMENTS**  
**Black Fork Creek, Healing Place and Paveto Lake Work Areas**

LINE NO.	TXDOT ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE IN WORDS	UNIT PRICE	AMOUNT
1	110	EXCAVATION (CHANNEL)	CY	600	Fourteen Dollars and No Cents	\$14.00	\$8,400.00
2	132 *	EMBANKMENT (VEHICLE)(ORD COMP)(TYC)	CY	3,300	Nineteen Dollars and No Cents	\$19.00	\$62,700.00
3	160 *	FURNISH and PLACE TOPSOIL (5")	SY	46,606	Four Dollars and Forty Cents	\$4.40	\$206,086.40
4	162	BLOCK SODDING	SY	1,300	Five Dollars and Seventy Five Cents	\$5.75	\$7,475.00
5	400	CEM STABIL BKFL	CY	17	One Hundred Seventy Dollars and No Cents	\$170.00	\$2,890.00
6	400 *	CUT & RESTORING PAV (8.5 IN)	SY	6	Two Hundred Seventy Five Dollars and No Cents	\$275.00	\$1,375.00
7	400	CEMENT STAB BACKFILL (INLET OR MH)	CY	6	One Hundred Seventy Dollars and No Cents	\$170.00	\$1,020.00
8	402	TRENCH EXCAVATION PROTECTION	LF	34	Ten Dollars and No Cents	\$10.00	\$340.00
9	432	RIPRAP (CONC FLUME) (5 IN)	CY	1,062	Four Hundred Seventy Five Dollars and No Cents	\$475.00	\$504,450.00
10	432	RIPRAP (CONC) (CL C) (5 IN)	CY	30	Nine Hundred Dollars and No Cents	\$900.00	\$27,000.00
11	432	RIPRAP (CONC) (DISSIPATER)	CY	3	One Thousand Five Hundred Dollars and No Cents	\$1,500.00	\$4,500.00
12	456	GABION (3' x 3')(GALV)	CY	62	Three Hundred Forty Dollars and No Cents	\$340.00	\$21,080.00
13	464	RC PIPE (CL III) (24 IN)	LF	34	Ninety Dollars and No Cents	\$90.00	\$3,060.00
14	465	INLET (COMPL) (TY H)	EA	1	Two Thousand Five Hundred Dollars and No Cents	\$2,500.00	\$2,500.00
15	487	SET (TY II) (24 IN) (RCP) (3:1) (C)	EA	1	One Thousand Two Hundred Dollars and No Cents	\$1,200.00	\$1,200.00
16	480	CLEAN EXIST CULVERTS	EA	2	Ten Thousand Dollars and No Cents	\$10,000.00	\$20,000.00
17	600	MOBILIZATION	LS	1	Two Hundred Twenty Six Thousand Dollars and No Cents	\$226,000.00	\$226,000.00
18	602	BARRICADES, SIGNS AND TRAFFIC HANDLING	MO	4	Two Thousand Dollars and No Cents	\$2,000.00	\$8,000.00
19	506 *	FURN and REMOVE CONST EXIT (TY1)(SHORT TERM)	SY	600	Thirty Five Dollars and No Cents	\$35.00	\$17,000.00
20	508	TEMP SEDMT CONT FENCE	LF	4,667	Four Dollars and No Cents	\$4.00	\$18,228.00
21	505	BALED HAY	EA	613	Twenty Three Dollars and No Cents	\$23.00	\$14,099.00
22	508 *	ROCK FILTER DAM (TY1)	LF	90	Thirty Eight Dollars and No Cents	\$38.00	\$3,420.00
23	601	SLOPE REPAIR (PERFORMANCE TURF)	SY	46,606	Four Dollars and No Cents	\$4.00	\$186,424.00
BASE BID:							\$1,366,127.40
	432	ALTERNATE BID - RIPRAP (STONE TY R) (DRY) (12 IN)	CY	302.00	Two Hundred Thirty Five Dollars and No Cents	\$236.00	\$70,979.00
TOTAL BID = (Base Bid + Alternate Bid - (228 cy * Line 9 unit price))							\$1,320,797.40

4/28/2016

COMPANY NAME:

REYNOLDS KAY, LTD

BIDDER'S NAME:

R.F. Kay

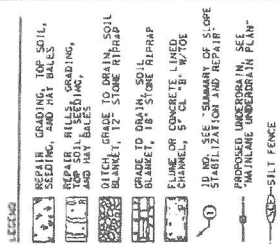
DATE:

4-28-16

PRINT NAME:

L.F. KAY

**PRESIDENT OF L.F. KAY MANAGEMENT, LLC.  
GENERAL PARTNER**

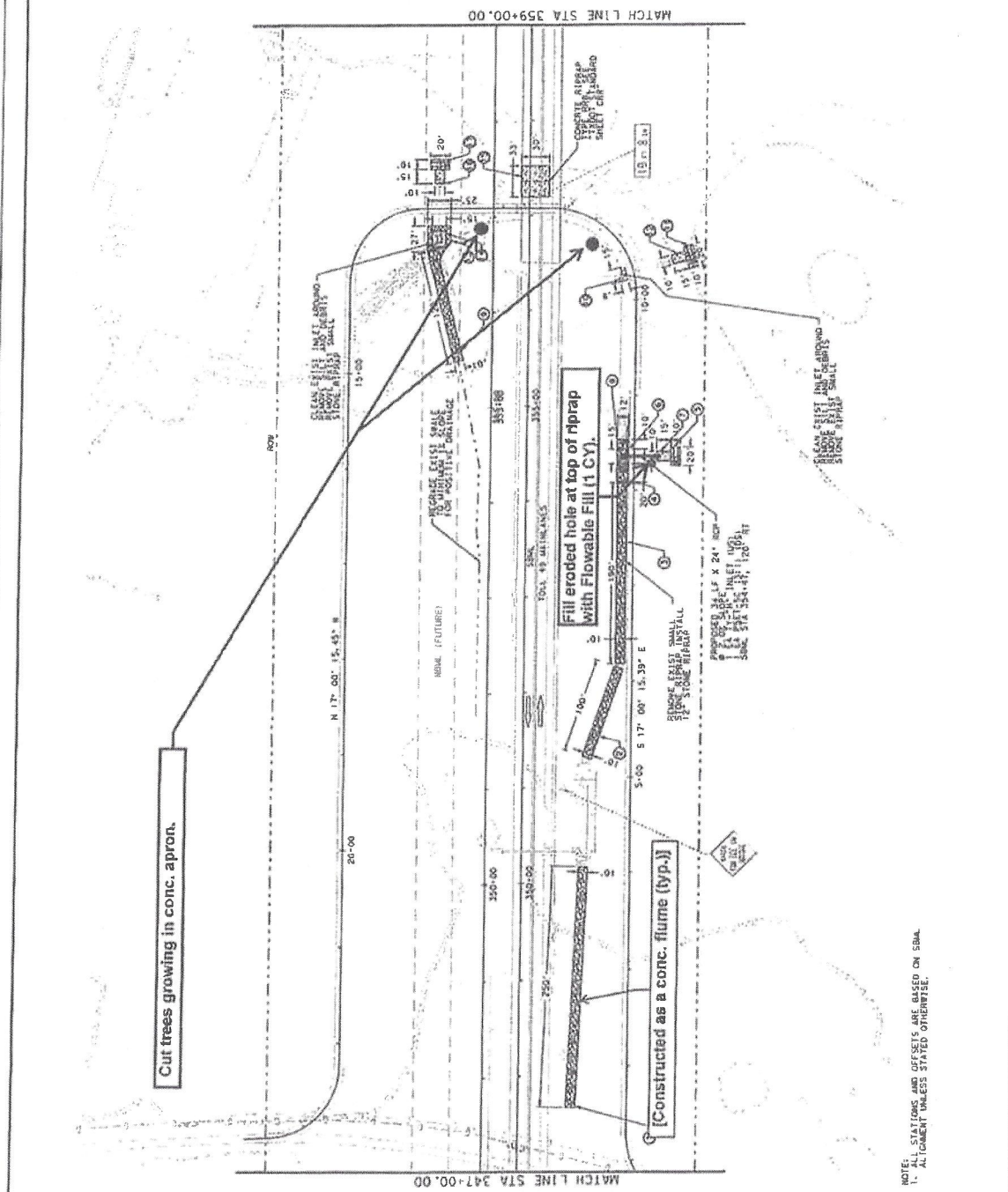


**ATKINS**

**NETZMA\***  
 1070 6th Street  
 Berkeley, California 94704

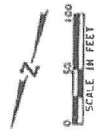
TOLL 49 SEGMENT 3B  
DRAINAGE CHANNEL  
EROSION REPAIR LAYOUT  
MAINE  
347-00 TO 359-00

FED. RD. DIV. NO.		PROJECT NO.		SHEET NO.	13
STATE	DIST.	COUNTY			
TEXAS	TULSA	SMITH			
CONTRACT	SECTION	JOB	HIGHWAY NO.		



NOTE: ALL STATIONS AND OFFSETS ARE BASED ON SBMA ALIGNMENT UNLESS STATED OTHERWISE.





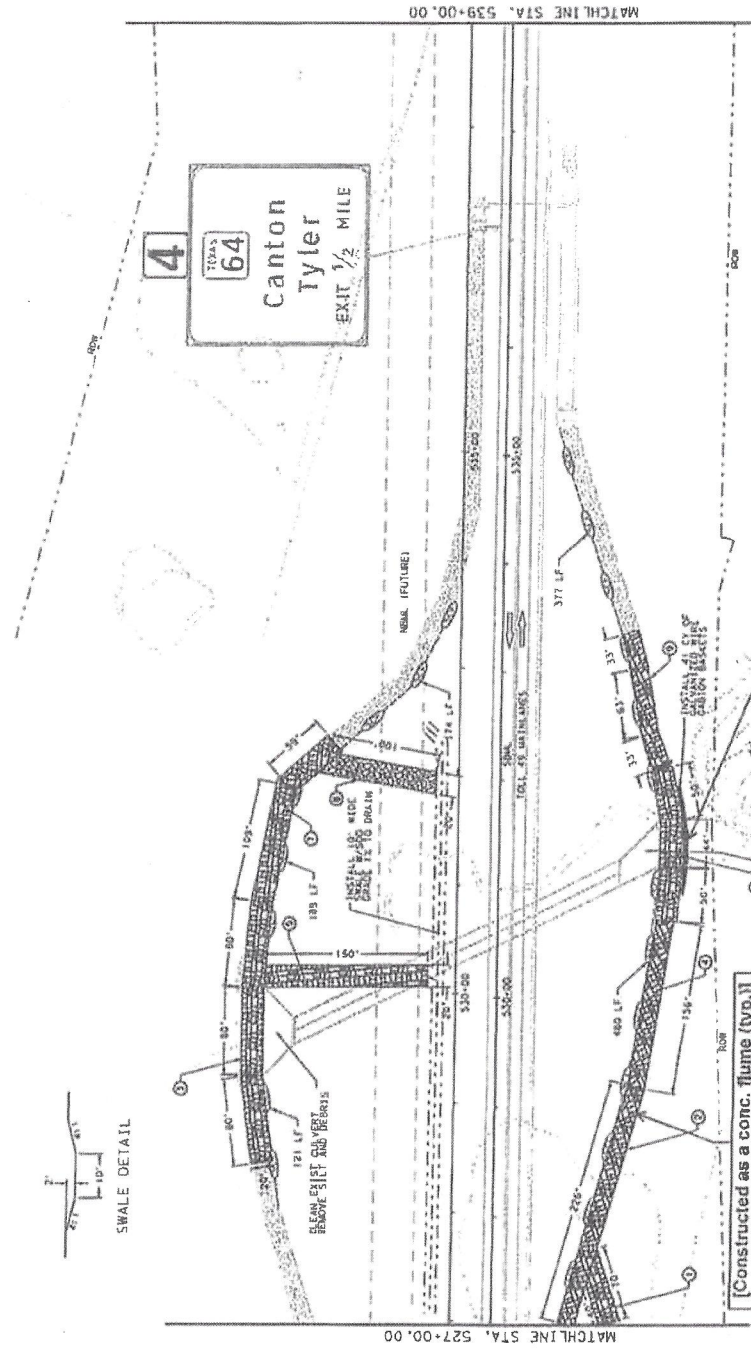
- LEGEND**
- SEAL, GRADING, TOP SOIL, SEEDING, RILLS, BALES
  - REPAIR, RILLS, GRADING, TOP SOIL, SEEDING, AND RY BALS
  - DITCH, GRADE TO DRAIN, SOIL BLANKET, 12" STONE RIPRAP
  - GRADE TO DRAIN, SOIL BLANKET, 18" STONE RIPRAP
  - FLUME OR CONCRETE LINED CHANNEL, 5' CL "B" W/TOE
  - TO NO. SEE "SUMMARY OF SLOPE STABILIZATION AND REPAIR"
  - PROPOSED UNDERDRAIN, SEE "MAINLINE UNDERDRAIN PLAN"
  - SED-SILT FENCE

**ATKINS**  
TYPE REG. #7-474



TOLL 49 SEGMENT 3B  
DRAINAGE CHANNEL  
EROSION REPAIR LAYOUT  
MAINLINE  
527+00 TO 539+00

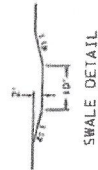
STATE	OKLAHOMA	PROJECT NO.	527-00	SHEET NO.	37 OF 45
COUNTY	DEWEE	CONTRACT	527-00	SECTION	37 OF 45
DATE	11/11/15	DESIGNER	ATKINS	DRAWN BY	SMITH
CHECKED BY	SMITH	APPROVED BY	SMITH	DATE	11/11/15



Install 16 CY (3' x 3' x 48') of gabion baskets on top of existing baskets. Taper edges to fit.

Constructed as a conc. flume (typ.)

NOTE:  
1. ALL STATIONS AND OFFSETS ARE BASED ON SDA.  
2. ALL TOLERANCES UNLESS STATED OTHERWISE.



SWALE DETAIL

**4**  
TOTAL 64  
**Canton Tyler**  
EXIT 1/2 MILE

MATCHLINE STA. 527+00.00

MATCHLINE STA. 539+00.00



