

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

RESOLUTION NO. 17-38

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, the NET RMA is currently pursuing the development of Segment 4 of Toll 49 (the “Project”); and

WHEREAS, on March 1, 2016, in Resolution No. 16-21, the Board of Directors authorized the Interim Executive Director to enter into a contract (the “Agreement”) for the construction of the Project with Webber, LLC (“Webber”) in the amount of \$68,760,000.00; and

WHEREAS, on June 14, 2016, in Resolution No. 16-63, the NET RMA Board of Directors approved Change Order No. 1.0 to the Agreement with no financial impact; and

WHEREAS, on October 11, 2016, in Resolution No. 16-91, the NET RMA Board of Directors approved Change Order No. 2.0 to the Agreement for an amount not to exceed \$26,247.38; and

WHEREAS, on October 11, 2016, in Resolution No. 16-92, the NET RMA Board of Directors approved Change Order No. 3.0 to the Agreement for an amount not to exceed \$17,257.93; and

WHEREAS, on October 11, 2016, in Resolution No. 16-93, the NET RMA Board of Directors approved Change Order No. 4.0 to the Agreement for an amount not to exceed \$156,926.00; and

WHEREAS, on February 14, 2017, in Resolution No. 17-12, the NET RMA Board of Directors approved Change Order No. 5.0 to the Agreement for an amount not to exceed \$100,000.00; and

WHEREAS, on June 13, 2017, in Resolution No. 17-31, the NET RMA Board of Directors ratified Change Order Nos. 6.0 through 8.0 to the Agreement for a total aggregate amount not to exceed \$42,229.88; and

WHEREAS, NET RMA consultants have determined that additional traffic control measures are needed for the construction of the Project and recommend the approval of Change Order No. 9.0 to the Agreement, attached hereto as Attachment "A", for an amount not to exceed \$304,851.40 to provide for such traffic control measures; and

WHEREAS, considering the Agreement, previously approved Change Orders No. 1.0 through 8.0, and proposed Change Order No. 9.0, the maximum amount to be paid for services under the Agreement is \$69,407,512.59; and

WHEREAS, the NET RMA Board of Directors must approve Change Order No. 9.0 before Webber may proceed to work thereunder; 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. 9.0 is necessary and appropriate.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves Change Order No. 9.0 in the form or substantially the same form attached hereto as Attachment "A", for an amount not to exceed \$304,851.40; and

BE IT FURTHER RESOLVED, that all work performed under Change Order No. 9.0 shall be subject to the Agreement between the NET RMA and Webber and that no additional work may be undertaken without the specific approval of the Board of Directors.

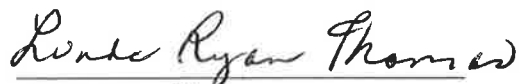
Adopted by the Board of Directors of the North East Texas Regional Mobility Authority on the 8th day of August, 2017.

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 08/08/17



TOLL 49 SEGMENT 4 IMPROVEMENTS PROJECT

CHANGE ORDER NO. 9

| Project Information | |
|--|--|
| Project Name | Toll 49 Segment 4 Improvements |
| CSJ | 3487-01-017, 3487-01-018 |
| Owner | North East Texas Regional Mobility Authority (NET RMA) |
| Description and Reason for the Change Order | |
| <p>This change order is necessary to perform the additional traffic control measures provided in the traffic control plans for SH 110 area for the ramp construction. Work includes:</p> <ul style="list-style-type: none"> • Install and Maintain signage including nightly closures for setting PCTB • Furnish and Install PCTB • Remove and Stockpile PCTB • Install Crash Attenuators • Remove Crash Attenuators | |
| Price & Budget | |
| <p>Webber's price proposal attached for the traffic control is attached. The work associated with this change order will increase the Contract Value by a lump sum amount of \$304,851.40.</p> <p>Original Bid Amount: \$ 68,760,000.00 Previously Approved Change Orders: \$ 342,661.19 <u>Change Order 9 Amount:</u> \$ 304,851.40 Contract Max Not to Exceed Amount: \$ 69,407,512.59</p> <p>This amount will not be exceeded without prior authorization from the NET RMA.</p> | |
| Project Schedule | |
| Adjustment to Schedule | No change |
| Signatures | |
| ACCEPTED: Webber, LLC | Signature:  Josh Goynes, Vice President – North Texas Date: <u>8/15/2017</u> |
| APPROVED: NET RMA | Signature:  Chris Miller, Director Date: _____ |

June 7, 2017

James Mike Cody, PE
Project Manager
RS&H, Inc.
15660 N Dallas Pkwy
Suite 220
Dallas, TX 75248

WVW-037

Re: Control: 3487-01-017 & 3487-01-018
Highway: Toll 49 Segment 4
County: Smith

Subject: Revision of COR-017 Installation of Signage and PCTB for SH110 Ramp Construction

Mr. Cody,

Per our discussion Webber has reevaluated the previous COR-17 submitted and offers the following below for the cost to complete the additional work proposed in the new traffic control plans provided for SH110. Detail of the costs shown below are enclosed with this letter.

- Install and maintain signage & lane closures for PCTB operations- \$60,020.65
 - Includes purchase and installation of required advance warning signs
 - Pilot cars for installing and removing barrier on SH110 only
 - Traffic control for installation and removal of barrier on Toll 49 and SH110
 - Police officers for lane closures
- Furnish and Install PCTB - \$110,528.16
 - Includes labor, equipment, and mobilization of equipment to the project to install the PCTB
 - Used PCTB material that will be brought from an alternative source in Corsicana, TX and will be the owners to keep following completion
 - Trucking of the PCTB material to the SH110 area from Corsicana, TX
 - PCTB reflectors per the standard
- Remove and Stockpile PCTB - \$43,523.79
 - Includes labor, equipment, and mobilization of equipment to the project to remove the PCTB from the roadway
 - Includes labor, equipment, and mobilization of equipment to the project to stockpile the PCTB in an area designated by the owner within 10 miles of SH110
 - Trucking of the PCTB removal from SH110 to an area designated by the owner within 10 miles of SH110
- Install Crash Attenuators - \$82,294.80
 - Furnish, delivery, and installation of 8 attenuators by our subcontractor
 - Attenuators are retained by the subcontractor
- Remove Crash Attenuators - \$8,484.00
 - Removal and haul off of 8 attenuators by our subcontractor

Total cost for this change per the plans provided = \$304,851.40

webber

As a small cost savings measure 2 crash attenuators could be eliminated on SH110 and approximately 300LF of wall could be installed to make this run of PCTB continuous from station 4+25 to 11+57. Total deduct from the cost above to implement this change would equal \$12,013.95 bringing the total using this option to \$292,837.45

Thank you for your time and consideration in this matter. If you have any questions or require any additional information please feel free to contact me at 469-236-8771 or nwolf@wwerber.com.

Kindest Regards,

Nick Wolf
Project Manager

Cc: WVV Job file
Brad Caldwell – Webber
Matt Anderson – Webber

Enclosure: Cost backup



SH 110 Ramps Traffic Control

COR-017 REVISED

TOLL 49 SEGMENT 4
CONTROL: 3487-01-017 & 3487-01-018
COUNTY: SMITH
HIGHWAY: TOLL 49

SUMMARY OF COSTS

| | | |
|--|----|------------|
| Install and Maintain signage including nightly closures for setting PCTB | \$ | 60,020.65 |
| Furnish and Install PCTB | \$ | 110,528.16 |
| Remove and Stockpile PCTB | \$ | 43,523.79 |
| Install Crash Attenuators | \$ | 82,294.80 |
| Remove Crash Attenuators | \$ | 8,484.00 |
| Total | \$ | 304,851.40 |



SH 110 Ramps Traffic Control

COR-017 REVISED

TOLL 49 SEGMENT 4
 CONTROL: 3487-01-017 & 3487-01-018
 COUNTY: SMITH
 HIGHWAY: TOLL 49

| LABOR | | | | | |
|--|-----|--------------------------------|-----|----------|--------------|
| DESCRIPTION | QTY | TASK | HRS | RATE | AMT |
| 6 MONTHS - 20 HRS/MONTH | | | | | |
| MAINTAIN TCP | | | | | |
| FOREMAN | 1 | MANAGE TRAFFIC CONTROL DEVICES | 120 | \$ 30.00 | \$ 3,600.00 |
| LABORERS | 3 | MANAGE TRAFFIC CONTROL DEVICES | 120 | \$ 17.00 | \$ 6,120.00 |
| PILOT CARS FOR INSTALLING AND REMOVING BARRIER | | | | | |
| LABORERS | 2 | PILOT CARS | 20 | \$ 17.00 | \$ 680.00 |
| TOTAL LABOR COST | | | | | \$ 10,400.00 |
| 25% LABOR MARKUP | | | | | \$ 2,600.00 |
| 55% LABOR BURDEN | | | | | \$ 5,720.00 |
| SUBTOTAL | | | | | \$ 18,720.00 |
| 1% BOND | | | | | \$ 187.20 |
| LABOR TOTAL | | | | | \$ 18,907.20 |

| EQUIPMENT | | | | | |
|--|-----|--------------|-----|----------|-------------|
| DESCRIPTION | QTY | TASK | HRS | RATE | AMT |
| MAINTAIN TCP | | | | | |
| 3/4 TON PICKUP | 1 | MAINTAIN TCP | 120 | \$ 11.64 | \$ 1,396.80 |
| PILOT CARS FOR INSTALLING AND REMOVING BARRIER | | | | | |
| 3/4 TON PICKUP | 2 | PILOT CARS | 20 | \$ 11.64 | \$ 465.60 |
| TOTAL EQUIPMENT COST | | | | | \$ 1,862.40 |
| 15% EQUIPMENT MARKUP | | | | | \$ 279.36 |
| SUBTOTAL | | | | | \$ 2,141.76 |
| 1% BOND | | | | | \$ 21.42 |
| EQUIPMENT TOTAL | | | | | \$ 2,163.18 |

| MATERIALS | | | | | |
|---|-----|------|-------------|-------------|-------------|
| DESCRIPTION | QTY | UNIT | RATE | AMT | |
| SIGNS/POSTS/SANDBAGS/TYPED III'S, BARRELS + TAX | 1 | LS | \$ 6,487.52 | \$ 6,487.52 | |
| TOTAL MATERIAL COST | | | | | \$ 6,487.52 |
| 25% MATERIAL MARKUP | | | | | \$ 1,621.88 |
| SUBTOTAL | | | | | \$ 8,109.40 |
| 1% BOND | | | | | \$ 81.09 |
| MATERIAL TOTAL | | | | | \$ 8,190.49 |

| SUBCONTRACTORS | | | | | |
|---|-----|------|-------------|--------------|--------------|
| DESCRIPTION | QTY | UNIT | RATE | AMT | |
| BUYERS BARRICADES INSTALL TCP INITIAL + TAX | 1 | EA | \$ 1,299.00 | \$ 1,299.00 | |
| BUYERS BARRICADES TRAFFIC CONTROL TO INSTALL & REMOVE BARRIER ON SH 110 PER TCP(2-2-12) + TAX | 20 | HRS | \$ 216.50 | \$ 4,330.00 | |
| BUYERS BARRICADES TRAFFIC CONTROL TO INSTALL & REMOVE BARRIER ON TOLL 49 PER TCP(2-3A) + TAX | 5 | DAY | \$ 3,842.88 | \$ 19,214.38 | |
| POLICE OFFICERS WITH CARS | 72 | HRS | \$ 57.80 | \$ 4,161.60 | |
| TOTAL SUBCONTRACTOR COST | | | | | \$ 29,004.98 |
| 5% SUBCONTRACTOR MARKUP | | | | | \$ 1,450.25 |
| SUBTOTAL | | | | | \$ 30,455.23 |
| 1% BOND | | | | | \$ 304.55 |
| SUBCONTRACTOR TOTAL | | | | | \$ 30,759.78 |

TOTAL COST **\$ 60,020.65**



SH 110 Ramps Traffic Control

COR-017 REVISED

TOLL 49 SEGMENT 4
 CONTROL: 3487-01-017 & 3487-01-018
 COUNTY: SMITH
 HIGHWAY: TOLL 49

FURNISH AND INSTALL PCTB

| LABOR | | | | | |
|------------------------|-----|---------------|-----|----------|--------------------|
| DESCRIPTION | QTY | TASK | HRS | RATE | AMT |
| INSTALL BARRIER | | | | | |
| FOREMAN | 1 | SET BARRIER | 36 | \$ 30.00 | \$ 1,080.00 |
| LABORERS | 3 | SET BARRIER | 36 | \$ 17.00 | \$ 1,836.00 |
| OPERATORS | 1 | OPERATE CRANE | 36 | \$ 35.00 | \$ 1,260.00 |
| TOTAL LABOR COST | | | | | \$ 4,176.00 |
| 25% LABOR MARKUP | | | | | \$ 1,044.00 |
| 55% LABOR BURDEN | | | | | \$ 2,296.80 |
| SUBTOTAL | | | | | \$ 7,516.80 |
| 1% BOND | | | | | \$ 75.17 |
| LABOR TOTAL | | | | | \$ 7,591.97 |

| EQUIPMENT | | | | | |
|------------------------|-----|-----------------|-----|-----------|--------------------|
| DESCRIPTION | QTY | TASK | HRS | RATE | AMT |
| INSTALL BARRIER | | | | | |
| RT 50 CRANE | 1 | INSTALL BARRIER | 36 | \$ 107.05 | \$ 3,853.80 |
| 3/4 TON PICKUP | 1 | INSTALL BARRIER | 36 | \$ 11.64 | \$ 419.04 |
| 1/2 TON PICKUP | 1 | INSTALL BARRIER | 36 | \$ 12.02 | \$ 432.72 |
| TOTAL EQUIPMENT COST | | | | | \$ 4,705.56 |
| 15% EQUIPMENT MARKUP | | | | | \$ 705.83 |
| SUBTOTAL | | | | | \$ 5,411.39 |
| 1% BOND | | | | | \$ 54.11 |
| EQUIPMENT TOTAL | | | | | \$ 5,465.51 |

| MATERIALS | | | | | |
|------------------------|-------|------|----------|---------------------|--|
| DESCRIPTION | QTY | UNIT | RATE | AMT | |
| PRECAST BARRIER | 3,120 | LF | \$ 10.00 | \$ 31,200.00 | |
| REFLECTIVE TABS & GLUE | 650 | EA | \$ 1.25 | \$ 812.50 | |
| TOTAL MATERIAL COST | | | | \$ 32,012.50 | |
| 25% MATERIAL MARKUP | | | | \$ 8,003.13 | |
| SUBTOTAL | | | | \$ 40,015.63 | |
| 1% BOND | | | | \$ 400.16 | |
| MATERIAL TOTAL | | | | \$ 40,415.78 | |

| SUBCONTRACTORS | | | | | |
|--|-----|-------|-------------|---------------------|--|
| DESCRIPTION | QTY | UNIT | RATE | AMT | |
| MOBILIZATION AND DEMOBILIZATION OF CRANE TO INSTALL BARRIER | 1 | EA | \$ 1,800.00 | \$ 1,800.00 | |
| FLATBED TRUCKS FOR HAULING BARRIER FROM CORSICANA TO LINDALE | 104 | Loads | \$ 500.00 | \$ 52,000.00 | |
| TOTAL SUBCONTRACTOR COST | | | | \$ 53,800.00 | |
| 5% SUBCONTRACTOR MARKUP | | | | \$ 2,690.00 | |
| SUBTOTAL | | | | \$ 56,490.00 | |
| 1% BOND | | | | \$ 564.90 | |
| SUBCONTRACTOR TOTAL | | | | \$ 57,054.90 | |

TOTAL COST **\$ 110,528.16**



SH 110 Ramps Traffic Control

COR-017 REVISED

TOLL 49 SEGMENT 4
 CONTROL: 3487-01-017 & 3487-01-018
 COUNTY: SMITH
 HIGHWAY: TOLL 49

REMOVE AND STOCKPILE PCTB

| LABOR | | | | | |
|-------------------------------------|-----|---|-----|----------|---------------------|
| DESCRIPTION | QTY | TASK | HRS | RATE | AMT |
| REMOVE BARRIER AND STOCKPILE | | | | | |
| FOREMAN | 1 | REMOVE BARRIER | 36 | \$ 30.00 | \$ 1,080.00 |
| LABORERS | 6 | 3 TO REMOVE BARRIER, 3 TO STOCKPILE BARRIER | 36 | \$ 17.00 | \$ 3,672.00 |
| OPERATORS | 2 | OPERATE CRANE | 36 | \$ 35.00 | \$ 2,520.00 |
| TOTAL LABOR COST | | | | | \$ 7,272.00 |
| 25% LABOR MARKUP | | | | | \$ 1,818.00 |
| 55% LABOR BURDEN | | | | | \$ 3,999.60 |
| SUBTOTAL | | | | | \$ 13,089.60 |
| 1% BOND | | | | | \$ 130.90 |
| LABOR TOTAL | | | | | \$ 13,220.50 |

| EQUIPMENT | | | | | |
|-------------------------------------|-----|----------------|-----|-----------|--------------------|
| DESCRIPTION | QTY | TASK | HRS | RATE | AMT |
| REMOVE BARRIER AND STOCKPILE | | | | | |
| RT 50 CRANE | 2 | REMOVE BARRIER | 36 | \$ 107.05 | \$ 7,707.60 |
| 3/4 TON PICKUP | 1 | REMOVE BARRIER | 36 | \$ 11.64 | \$ 419.04 |
| 1/2 TON PICKUP | 1 | REMOVE BARRIER | 36 | \$ 12.02 | \$ 432.72 |
| TOTAL EQUIPMENT COST | | | | | \$ 8,559.36 |
| 15% EQUIPMENT MARKUP | | | | | \$ 1,283.90 |
| SUBTOTAL | | | | | \$ 9,843.26 |
| 1% BOND | | | | | \$ 98.43 |
| EQUIPMENT TOTAL | | | | | \$ 9,941.70 |

| MATERIALS | | | | | |
|-----------------------|-----|------|------|-----|-------------|
| DESCRIPTION | QTY | UNIT | RATE | AMT | |
| | | | | \$ | - |
| | | | | \$ | - |
| | | | | \$ | - |
| | | | | \$ | - |
| | | | | \$ | - |
| TOTAL MATERIAL COST | | | | | \$ - |
| 25% MATERIAL MARKUP | | | | | \$ - |
| SUBTOTAL | | | | | \$ - |
| 1% BOND | | | | | \$ - |
| MATERIAL TOTAL | | | | | \$ - |

| SUBCONTRACTORS | | | | | |
|---|-----|-------|-------------|--------------|---------------------|
| DESCRIPTION | QTY | UNIT | RATE | AMT | |
| MOBILIZATION AND DEMOBILIZATION OF CRANES | 2 | EA | \$ 1,800.00 | \$ 3,600.00 | |
| FLATBED TRUCKS FOR REMOVING BARRIER AND STOCKPILING, FOR NET RMA WITHIN A 10 MILE RADIUS OF SH110 | 104 | Loads | \$ 150.00 | \$ 15,600.00 | |
| TOTAL SUBCONTRACTOR COST | | | | | \$ 19,200.00 |
| 5% SUBCONTRACTOR MARKUP | | | | | \$ 960.00 |
| SUBTOTAL | | | | | \$ 20,160.00 |
| 1% BOND | | | | | \$ 201.60 |
| SUBCONTRACTOR TOTAL | | | | | \$ 20,361.60 |

TOTAL COST **\$ 43,523.79**



SH 110 Ramps Traffic Control

COR-017 REVISED

TOLL 49 SEGMENT 4
CONTROL: 3487-01-017 & 3487-01-018
COUNTY: SMITH
HIGHWAY: TOLL 49

INSTALL CRASH ATTENUATORS

LABOR table with columns: DESCRIPTION, QTY, TASK, HRS, RATE, AMT. Rows include: TOTAL LABOR COST, 25% LABOR MARKUP, 55% LABOR BURDEN, SUBTOTAL, 1% BOND, LABOR TOTAL.

EQUIPMENT table with columns: DESCRIPTION, QTY, TASK, HRS, RATE, AMT. Rows include: TOTAL EQUIPMENT COST, 15% EQUIPMENT MARKUP, SUBTOTAL, 1% BOND, EQUIPMENT TOTAL.

MATERIALS table with columns: DESCRIPTION, QTY, UNIT, RATE, AMT. Rows include: TOTAL MATERIAL COST, 25% MATERIAL MARKUP, SUBTOTAL, 1% BOND, MATERIAL TOTAL.

SUBCONTRACTORS table with columns: DESCRIPTION, QTY, UNIT, RATE, AMT. Rows include: CRASH CUSHION ATTENUATOR FURNISH AND INSTALL (ODUM), TOTAL SUBCONTRACTOR COST, 5% SUBCONTRACTOR MARKUP, SUBTOTAL, 1% BOND, SUBCONTRACTOR TOTAL.

TOTAL COST \$ 82,294.80



SH 110 Ramps Traffic Control

COR-017 REVISED

TOLL 49 SEGMENT 4
CONTROL: 3487-01-017 & 3487-01-018
COUNTY: SMITH
HIGHWAY: TOLL 49

REMOVE CRASH ATTENUATORS

LABOR table with columns: DESCRIPTION, QTY, TASK, HRS, RATE, AMT. Rows include: TOTAL LABOR COST, 25% LABOR MARKUP, 55% LABOR BURDEN, SUBTOTAL, 1% BOND, LABOR TOTAL.

EQUIPMENT table with columns: DESCRIPTION, QTY, TASK, HRS, RATE, AMT. Rows include: TOTAL EQUIPMENT COST, 15% EQUIPMENT MARKUP, SUBTOTAL, 1% BOND, EQUIPMENT TOTAL.

MATERIALS table with columns: DESCRIPTION, QTY, UNIT, RATE, AMT. Rows include: TOTAL MATERIAL COST, 25% MATERIAL MARKUP, SUBTOTAL, 1% BOND, MATERIAL TOTAL.

SUBCONTRACTORS table with columns: DESCRIPTION, QTY, UNIT, RATE, AMT. Rows include: CRASH CUSHION ATTENUATOR REMOVE (ODUM), TOTAL SUBCONTRACTOR COST, 5% SUBCONTRACTOR MARKUP, SUBTOTAL, 1% BOND, SUBCONTRACTOR TOTAL.

TOTAL COST \$ 8,484.00



SH 110 Ramps Traffic Control

COR-017 REVISED

TOLL 49 SEGMENT 4
CONTROL: 3487-01-017 & 3487-01-018
COUNTY: SMITH
HIGHWAY: TOLL 49

REMOVE CRASH ATTENUATORS

LABOR table with columns: DESCRIPTION, QTY, TASK, HRS, RATE, AMT. Rows include: TOTAL LABOR COST, 25% LABOR MARKUP, 55% LABOR BURDEN, SUBTOTAL, 1% BOND, LABOR TOTAL.

EQUIPMENT table with columns: DESCRIPTION, QTY, TASK, HRS, RATE, AMT. Rows include: TOTAL EQUIPMENT COST, 15% EQUIPMENT MARKUP, SUBTOTAL, 1% BOND, EQUIPMENT TOTAL.

MATERIALS table with columns: DESCRIPTION, QTY, UNIT, RATE, AMT. Rows include: TOTAL MATERIAL COST, 25% MATERIAL MARKUP, SUBTOTAL, 1% BOND, MATERIAL TOTAL.

SUBCONTRACTORS table with columns: DESCRIPTION, QTY, UNIT, RATE, AMT. Rows include: CRASH CUSHION ATTENUATOR REMOVE (ODUM), TOTAL SUBCONTRACTOR COST, 5% SUBCONTRACTOR MARKUP, SUBTOTAL, 1% BOND, SUBCONTRACTOR TOTAL.

TOTAL COST \$ 8,484.00