

CCO: 77 Suppl. No. 2 Contract No. 04 – 0120F4 Road SF-80-13.2/13.9 FED. AID LOC.:

To: **AMERICAN BRIDGE/FLUOR ENTERPRISES INC A JOINT VENTURE**

You are directed to make the following changes from the plans and specifications or do the following described work not included in the plans and specifications for this contract. **NOTE: This change order is not effective until approved by the Engineer.**

Description of work to be done, estimate of quantities and prices to be paid. (Segregate between additional work at contract price, agreed price and force account.) Unless otherwise stated, rates for rental of equipment cover only such time as equipment is actually used and no allowance will be made for idle time. This last percentage shown is the net accumulated increase or decrease from the original quantity in the Engineer's Estimate

This supplemental change order:

- Revises, in Item 1 below, the method of payment from Extra Work at Unit Price to Extra Work at Agreed Lump Sum for implementing the Quality Assurance (QA) improvements/database specified in Contract Change Order 77, Supplements 0 and 1.
- Provides, in Item 1 below, an agreed lump sum payment of \$1,410,690.00, in addition to estimated amounts previously provided in CCO 77 Supplements 0 and 1, for a total agreed lump sum payment of \$12,100,607.00 for all QA improvements specified in this change order and CCO 77 Supplements 0 and 1. The total agreed lump sum payment includes all work completed to date and all future QA improvement work performed through the completion of fabrication at ZPMC's facilities in China.
- Modifies, in Item 2 below, the QA database software as needed to incorporate additional QA information, PAUT results, which was not included in CCO 77, Supplements 1 and 2, and provides for inputting PAUT test results for the Orthotropic Box Girder (OBG) deck panels into the QA database, including PAUT completed to-date and through completion of fabrication at ZPMC's facilities. Incorporating this additional QA information will be compensated for at an agreed lump sum amount of \$35,000.00.
- Finalizes all cost and additional work for implementing and completing the QA database through fabrication completion at ZPMC's facilities in China regardless of the actual fabrication completion date, currently anticipated to be the summer of 2011, except as specified in this change order.

Extra Work at Agreed Lump Sum Price:

ITEM 1 – Complete all QA Improvements.

Revise method of payment from "Extra Work at Unit Price" to "Extra Work at Agreed Lump Sum" in Contract Change Order 77 Supplements 0 and 1 (CCO 77S0 and CCO 77S1), for implementing the Quality Assurance (QA) improvements. Payments made under the previous payment method, Extra Work at Unit Price, will be carried over and paid under the new payment method, Extra Work at Agreed Lump Sum.

Provide an additional agreed lump sum payment amount of \$1,410,690.00 for completing all QA improvements, specified in this change order and CCO 77 Supplements 0 and 1, through fabrication completion at ZPMC's facilities in China.

This agreement is based on the scope of the existing Quality Assurance (QA) improvements as established in CCO 77S0 and CCO 77S1, which implements a database along with a process that tracks, verifies, and documents incremental progress for fabricated sub-assemblies and assembly stages.

The following table summarizes the payment revisions and additional payment provided in Item 1 of this change order:

Description	Total CCO Cost (Informational)	FROM:	TO:
		Extra Work at Unit Price	Extra Work at Agreed Lump Sum
Revise Payment Method in CCO 77S0	\$3,999,324.00	\$2,893,461.00	\$2,893,461.00
Revise Payment Method in CCO 77S1	\$8,098,877.00	\$7,796,456.00	\$7,796,456.00
Add. (Item 1) Payment in this CCO 77S2	\$1,445,690.00	\$0.00	\$1,410,690.00
Totals	\$13,543,891.00	\$10,689,917.00	\$12,100,607.00

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For this work, the Contractor will be paid the total agreed lump sum of \$12,100,607.00, with partial payments made according to a schedule of values approved by the Engineer. This newly agreed lump sum payment amount of \$12,100,607.00 is comprised of \$10,689,917.00, previously provided in CCO 77 Supplements 0 and 1, and an additional agreed lump sum payment of \$1,410,690.00 for completing all QA improvements through fabrication completion.

Total Cost of Extra Work at Lump Sum Price.....	\$12,100,607.00
<u>Less previously provided in CCO 77S0 and CCO 77S1</u>	<u><\$10,689,917.00></u>
(ITEM 1) Extra Work at Lump Sum (Complete all QA improvements)	\$1,410,690.00

ITEM 2 - Phased Array Ultrasonic Testing (PAUT)

Modify QA database software and input all PAUT information for the Orthotropic Box Girder (OBG) deck panels. For this work, the Contractor will be paid the agreed lump sum of \$35,000.00. This lump sum payment provides full compensation for furnishing all labor, materials, tools, equipment, and incidentals for doing all work required to complete work identified above.

Cost of Extra Work at Lump Sum Price.....	\$35,000.00
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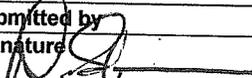
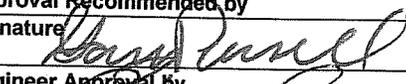
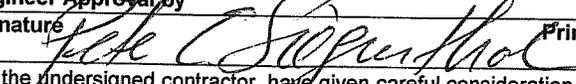
COST SUMMARY

ITEM 1 - Previously provided in CCO 77S0 and CCO 77S1	<\$10,689,917.00>
<u>ITEM 1 - Extra Work at Lump Sum (Complete all QA improvements)</u>	<u>\$12,100,607.00</u>
ITEM 1 Sub-Total - Extra Work at Lump Sum (Complete all QA improvements)	\$1,410,690.00
<u>ITEM 2 - Extra Work at Lump Sum (PAUT)</u>	<u>\$35,000.00</u>
Total net cost of this change order.....	\$1,445,690.00

It is agreed there will be no further adjustment of compensation for the work specified herein and CCO 77 Supplements 0 and 1, whether fabrication is completed earlier or later than currently anticipated, and regardless of responsibility for delays to fabrication. However, additional adjustment of compensation will be considered if fabrication at ZPMC's facilities is delayed beyond January 1, 2012. This lump sum payment provides full compensation for furnishing all labor, materials, tools, equipment, and incidentals for doing all work required to complete QA improvements as specified in this change order.

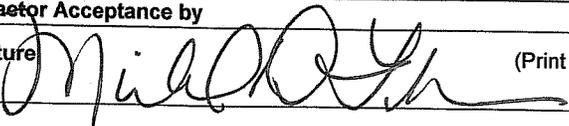
Estimated Cost: Increase Decrease \$1,445,690.00

By reason of this order the time of completion will be adjusted as follows: 0 days

Submitted by Signature 	Resident Engineer Darryl Schram for Gary Pursell, Sup.T.E.	Date 4/28/10
Approval Recommended by Signature 	Supervising Transportation Engineer Gary Pursell, Sup.T.E.	Date 4/8/10
Engineer Approval by Signature 	Principal Transportation Engineer Peter Siegenthaler, Prin.T.E.	Date 4/27/10

We the undersigned contractor, have given careful consideration to the change proposed and agree, if this proposal is approved, that we will provide all equipment, furnish the materials, except as otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefor the prices shown above.

NOTE: If you, the contractor, do not sign acceptance of this order, your attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.

Contractor Acceptance by Signature 	(Print name and title) Michael D. Flowers Project Director	Date 4-26-10
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