

**CONTRACT CHANGE ORDER MEMORANDUM**

DATE: 3/8/2010

Page 1 of 2

DC-CEM-4903 (OLD HC-39 REV. 6/93) CT# 7541-3544-0

TO Pete Siegenthaler, Principal TE			FILE 04-0120F4	
FROM Gary Pursell, STE / Richard Morrow, SBE			04-SF-80-13.2/13.9	
CCO NO. <b>95</b>	SUPPLEMENT NO. <b>0</b>	CATEGORY CODE <b>FHBB</b>	CONTINGENCY BALANCE (including this change) <b>\$8,014,909.40</b>	
<b>\$0.00</b>			HEADQUARTERS APPROVAL REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
INCREASE <input checked="" type="checkbox"/> DECREASE <input type="checkbox"/>			IS THIS REQUEST IN ACCORDANCE WITH ENVIRONMENTAL DOCUMENTS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
SUPPLEMENTAL FUNDS PROVIDED \$			PROJECT DESCRIPTION CONSTRUCT SELF-ANCHORED SUSPENSION BRIDGE	
CCO DESCRIPTION: Detailing for Various Changes				
Original Contract Time <b>2490</b> Day(s)	Time Adj.: This Change <b>0</b> Day(s)	Previously Approved CCO Time Adjustments <b>227</b> Day(s)	Percentage Time Adjusted: (including this change) <b>9</b> %	Total # of Unreconciled Deferred Time CCO(s): (including this change) <b>6</b>

**THIS CHANGE ORDER PROVIDES FOR:**

Fully resolving Notice of Potential Claim (NOPC) 2, Contractor submitted Request for Change Orders (RFCO) 34, RFCO 35, RFCO 56, and Tensor Engineering portion of RFCO 27. Resolution to these items is achieved by providing merited compensation for premium portion of overtime detailing cost incurred through September 8, 2008, all Tensor Engineering detailing cost for authorized Contract Change Orders (CCO's), resolutions to Contractor submitted Requests For Information (RFI's), and RFCO's. A summary of all items being resolved is included with the CCO in "Attachment A."

Tensor Engineering performs shop drawing detailing of project plan sheets for use by the Contractor's fabricators. Throughout the duration of the project numerous Department authorized changes have been issued with an Authority to Proceed. These Department authorized changes require the Contractors detailer to modify previously approved and/or prepare new shop drawings.

This work is not covered by any contract items. Therefore, payment for this work will be at Adjustment of Compensation at Lump Sum Price for the amount of \$760,670.00. Since the cost, of \$760,670.00 in this change, is included in Contract Change Order 108 Supplement 1 (CCO 108S1) Claim Settlement Report No. 1 resolution costs, the net payment in this change order is zero.

A determination of the delay in completion of the contract due to work specified by Contract Change Order No. 95, for work performed through November 17, 2009, has been made in accordance with the resolution of time and costs in CCO 108 and is part of the Claims Settlement Report (CSR) No. 1 for this project. Therefore, no adjustment of time is warranted by reason of this change. Consideration of a time extension for work since November 17, 2009 continues to be deferred and would be covered under a supplement change order.

This change order received concurrence from Gary Pursell (Resident Engineer), Rick Morrow (Sup. Structure Rep), Peter Siegenthaler (Principal TE), Rich Foley (HQ Oversight) and Ken Terpstra (Project Manager). Design and Maintenance concurrence is not required for this change order.

This change order received an Issue and Approve from the Division of Construction on March 18, 2009 for the amount of \$554,113.00 (A copy is attached for reference). Since this approval, the Contractor incurred additional costs not in the original estimate and would not agree to sign the change order without the additional invoices as part of the change. After review, it was determined that the additional costs totaling \$760,607.00 were associated with the scope of the change order and a revised cost has been determined.

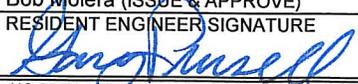
Claims Settlement Report (CSR) No. 1, for this project, revises the authority to "Issue and Approve" the changes listed in CCO 108S1 Appendices A & B. The authority to "Issue and Approve" the changes listed in Appendices A & B for the values of time and money contemplated therein has been delegated to the District for approval and approval of each of these change orders by the Headquarters CCO Desk will not be required. Since this change order is included in CCO 108S1 no Headquarters CCO Desk "Issue and Approve" is required, a copy of CCO 108S1 is attached for reference.

**CONTRACT CHANGE ORDER MEMORANDUM**

DC-CEM-4903 (OLD HC-39 REV. 6/93) CT# 7541-3544-0

DATE: 3/8/2010

Page 2 of 2

<b>CONCURRED BY:</b>		<b>ESTIMATE OF COST</b>	
CONSTRUCTION ENGINEER	DATE	THIS REQUEST	TOTAL TO DATE
Res. Eng. Gary Pursell, Sup. TE	12/21/09		
SR. BRIDGE ENGINEER	DATE	ITEMS	\$0.00
Rick Morrow	12/21/09	FORCE ACCOUNT	\$0.00
FHWA REPRESENTATIVE	DATE	AGREED PRICE	\$0.00
		ADJUSTMENT	\$0.00
PROJECT MANAGER	DATE	<b>TOTAL</b>	<b>\$0.00</b>
Proj. Manager, Ken Terpstra	12/21/09		<b>\$0.00</b>
OTHER (SPECIFY)	DATE	<b>FEDERAL PARTICIPATION</b>	
Chief Engineer, Richard Land	12/21/09	<input type="checkbox"/> PARTICIPATING <input type="checkbox"/> PARTICIPATING IN PART <input checked="" type="checkbox"/> NONE	
HQ Toll Bridge Coordinator, Jon Tapping	12/21/09	<input type="checkbox"/> NON-PARTICIPATING (MAINTENANCE) <input type="checkbox"/> NON-PARTICIPATING	
PCE, Peter Siegenthaler, Prin TE	DATE	FEDERAL SEGREGATION (IF MORE THAN ONE FUNDING SOURCE OR P.I.P. TYPE)	
DISTRICT PRIOR APPROVAL BY	DATE	<input type="checkbox"/> CCO FUNDED PER CONTRACT <input type="checkbox"/> CCO FUNDED AS FOLLOWS	
HQ (ISSUE & APPROVE) (TO PROCEED) BY	DATE	FEDERAL FUNDING SOURCE	PERCENT
Bob Molera (ISSUE & APPROVE)	12/31/09		
RESIDENT ENGINEER SIGNATURE	DATE		
	3/9/10		

**CONTRACT CHANGE ORDER**

Change Requested by: Engineer

CCO: 95      Suppl. No. 0      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.

**Adjustment of Compensation at Lump Sum Price:**

## ITEM 1.

This change order provides Contractor's consultant Tensor Engineering, of Candraft-Tensor, LLC (CTLLC), full compensation for additional shop drawing structural detailing and overtime premium portion compensation through September 8, 2008 as summarized in the table below:

Item	Description	Reference
CCO 11	Minor Civil Documentation Corrections	Tensor detailing cost included in ABF-CAL-LTR-000566 dated 6/12/2008. CTLLC change order Xtra-8 dated 12/1/2007 - Tensor Xtra-X33-E dated 10/30/2006.
CCO 24	Traveler Rail Modifications	Tensor detailing cost included in ABF-CAL-LTR-000526 dated 5/8/2008. CTLLC change order CO-04 dated 9/22/2006 - Tensor Xtra-X11-E dated 9/28/2006. Tensor detailing cost included in ABF-CAL-LTR-000591 dated 7/11/2008. CTLLC change order Xtra 116-R2 dated 3/1/2008 revised on 9/22/2009 and 10/6/2009 - Tensor Xtra-TEC-133-E dated 4/22/2009. Tensor detailing cost included in ABF-CAL-LTR-000925 dated 5/29/2009. CTLLC change order Xtra 125 dated 3/31/2008 – Tensor Xtra-TEC-145-E dated 3/25/2008. CTLLC change order Xtra 126 dated 3/31/2008 – Tensor Xtra-TEC-146-E dated 3/25/2008. CTLLC change order Xtra 141 dated 6/19/2008 – Tensor Xtra-TEC-150-E dated 6/17/2008. CTLLC change order Xtra 153 dated 11/17/2008 – Tensor Xtra-TEC-154-E dated 11/6/2008. RFI No. 1536R00.
CCO 31	Mechanical Modifications	Tensor detailing cost included in ABF-CAL-LTR-000558 dated 6/5/2008. CTLLC change order Xtra 104 dated 12/4/2007 - Tensor Xtra-129-E dated 12/6/2007
CCO 37	Modify Susp. Brackets, Handrope System & Cable Primer	Tensor detailing cost included in ABF-CAL-LTR-000559 dated 6/5/2008. CTLLC change order Xtra 102 dated 12/4/2007, Tensor # - Xtra-130-E dated 12/10/2007.
CCO 41	Pad Eye Modifications	Tensor detailing cost included in ABF-CAL-LTR-000605 dated 7/25/2008. CTLLC change order Xtra 068 dated 8/24/2007 and revised on 8/28/2008, Tensor # - Xtra-117-E dated 8/23/2007 and revised on 8/28/2008.
CCO 42S1	Cable Tray Changes	Tensor detailing cost included in ABF-CAL-LTR-000520 dated 5/5/2008. CTLLC change order Xtra 73 dated 12/1/2007, Tensor Xtra-X58-C dated 12/7/2006. CTLLC change order Xtra 70 dated 12/1/2007 - Tensor Xtra-X89-C dated 4/6/2007. CTLLC change order Xtra 95, Tensor Xtra-110CT-E dated 2/18/2008. RFI Nos. 265R00, 584R00

**CONTRACT CHANGE ORDER**

Change Requested by: Engineer

CCO: 95    Suppl. No. 0    Contract No. 04 - 0120F4    Road SF-80-13.2/13.9    FED. AID LOC.:

Item	Description	Reference
CCO 44	Barrier Modifications	Tensor detailing cost included in ABF-CAL-LTR-000521 dated 5/5/2008. CTLLC change order Xtra-73 dated 2/12/2008 - Tensor Xtra-X38-E & C dated 11/4/2006, Tensor Xtra-X40-E & C dated 11/8/2006, and Tensor Xtra-X45-E dated 11/10/2006. CTLLC change order Xtra-99 dated 12/4/2007, Tensor Xtra-X131-E dated 12/10/2007. RFI Nos. 303R00, 310R00, 321R00, 326R00.
CCO 59	Additional OBG Penetrations (Lifts 1 through 11)	Tensor detailing cost included in ABF-CAL-LTR-000522 dated 5/5/2008. CTLLC change order Xtra-95 - Tensor Xtra-X110M-E(R1) dated 2/18/2008. CTLLC change order Xtra-97 dated 12/4/2007 - Tensor Xtra-X78-C dated 2/6/2007. CTLLC change order Xtra-73 dated 2/12/2008 - Tensor Xtra-X29-C dated 10/26/2006, Tensor Xtra-X67-F dated 1/12/2007, and Tensor Xtra-X22-E dated 10/19/2006, Tensor Xtra-X57-C dated 12/6/2006, Tensor Xtra-X60-C/F/E dated 12/14/2006. CTLLC change order Xtra-94 dated 12/4/2007 - Tensor Xtra-X128-E dated 11/14/2007. CTLLC change order Xtra-96r1 dated 2/25/2008 - Tensor Xtra-X74-C dated 2/3/2007. CTLLC change order Xtra-106 dated 1/11/2008 - Tensor Xtra-X46-E dated 2/23/2008. CTLLC change order Xtra-107 dated 1/25/2008 - Tensor Xtra-X75-E dated 2/3/2007. CTLLC change order Xtra 70 dated 12/1/2007 - Tensor Xtra-X44-C dated 2/23/2008. RFI Nos. 126R01, 228R00, 265R00, 299R00, 373R00, 432R00, 450R00, 451R00, 451R01, 763R00.
CCO 103	Box Girder Axial Camber	Tensor detailing cost included in ABF-CAL-LTR-000924 dated 5/28/2009. CTLLC change order Xtra 143 dated 6/24/2008 - Tensor Xtra-TEC-152-E dated 6/21/2008. RFI Nos. 1376R00, 1376R01.
RFCO 34	Layouts for Catwalks and Access Platform	Tensor detailing cost included in ABF-CAL-LTR-000606 dated 7/25/2008. CTLLC change order Xtra 077r1 dated 2/23/2008 - Tensor Xtra-113-E dated 8/6/2007. RFI Nos. 224R00, 526R00, 531R00, 535R00, 540R00, 541R00, 579R00, 703R00, 775R00, and 867R00.
RFCO 35	Various Changes per RFI/SUB Responses, Detailing	Tensor detailing cost included in ABF-CAL-LTR-000615 dated 8/7/2008, as follows: CTLLC change order Xtra 70 dated 12/1/2007 - Tensor Xtra-X8 dated 9/22/2006, Tensor Xtra-X13-E dated 9/29/2006, Tensor Xtra-X26-E dated 10/26/2006, Tensor Xtra-X28-E dated 10/26/2006, Tensor Xtra-X41-E dated 11/8/2006, Tensor Xtra-X43-E dated 11/8/2006 revised 2/23/2008, Tensor Xtra-X52-E dated 11/28/2006, Tensor Xtra-X81-E dated 2/9/2007. CTLLC change order Xtra 76 dated 12/1/2007 revised 2/23/2008 - Tensor Xtra-119-E dated 8/28/2007. CTLLC change order Xtra 93 dated 1/11/2008 - Tensor Xtra-X95-E dated 5/12/2007 revised 2/23/2008. RFI Nos. 199R00, 220R00, 53R00, 63R00, 241R00, 113R01, 371R00, 483R00, 898R00, 295R00, 384R00, 684R01, and 685R00.

**CONTRACT CHANGE ORDER**

Change Requested by: Engineer

CCO: 95    Suppl. No. 0    Contract No. 04 – 0120F4    Road SF-80-13.2/13.9    FED. AID LOC.:

Item	Description	Reference
RFCO 56	Various CTLLC Detailing Costs	Detailing cost included in ABF-CAL-LTR-000880 dated 4/6/2009. ABF – CTLLC change order 006 dated 2/16/2007. CTLLC change order Xtra 158 dated 11/7/2008 - Tensor Xtra-TEC-137-E dated 12/19/2007. CTLLC change order Xtra 159 dated 11/7/2008 - Tensor Xtra-TEC-138-E dated 1/11/2008. CTLLC change order Xtra 75r1 dated 2/23/2008 - Tensor Xtra-X98-E dated 5/18/2007, Tensor Xtra-X100-E dated 5/18/2007, Tensor Xtra-X102-E dated 5/22/2007, Tensor Xtra-X103-E dated 5/25/2007, Tensor Xtra-X106-E dated 6/8/2007, Tensor Xtra-X112-E dated 7/26/2007. CTLLC change order Xtra 140 dated 1/12/2008 - Tensor Xtra-X84-E dated 2/20/2007. CTLLC change order Xtra 101 dated 1/11/2008 - Tensor Xtra-X101-E dated 5/21/2007. CTLLC change order Xtra 001 dated 4/3/2009 - Tensor Xtra-TEC-2651001-E dated 1/12/2008. CTLLC change order Xtra 055 dated 4/16/2008 - Tensor Xtra-122-E dated 10/1/2007. CTLLC change order Xtra 138 dated 2/21/2008 - Tensor Xtra-X62-C/F/E dated 12/14/2006. CTLLC change order Xtra 130 dated 3/31/2008 - Tensor Xtra-TEC-147-E dated 4/17/2008. CTLLC change order Xtra 115 dated 2/21/2008 - Tensor Xtra-X53-E dated 11/30/2006. RFI Nos. 1137R01, 223R01, 713R00, 714R00, 340R00, 200R01, 42R00, 145R00, 578R01, 711R00, 1127R00, 953R00, 493R00, and 1329R00.
NOPC 2 & RFCO 27	Premium Portion of Over Time	Tensor over time premium cost included in ABF-CAL-LTR-000493 dated 4/15/2008. Over time premium cost included in ABF-CAL-LTR-000494 dated 4/15/2008. CTLLC change order Xtra-108-NOPC dated 4/14/2008 - Tensor Xtra-TEC-2635144 dated 2/14/2008. This fully resolves NOPC No. 2 and includes all Tensor premium costs incurred through 9/8/2008.

This change order, including the CCO's, NOPC's, and RFCO's listed in the table above, is not applicable to any services performed by Candraft Detailing, Inc. of Candraft-Tensor, LLC (CTLLC).

This change order resolves Notice of Potential Claim (NOPC) 2, Request for Change Order (RFCO) 34, RFCO 56, and Tensor Engineering portion of RFCO 27.

For this work, the Contractor will receive a lump sum price of \$760,670.00. This sum constitutes full and complete compensation for furnishing all labor, material, tools and incidentals including all markups, all direct and indirect costs, and all overhead expenses by reason of this change.

Adjustment of Compensation at Lump Sum Price..... \$760,670.00

**CONTRACT CHANGE ORDER**

Change Requested by: Engineer

CCO: 95    Suppl. No. 0    Contract No. 04 - 0120F4    Road SF-80-13.2/13.9    FED. AID LOC.:

ITEM 2

The items identified above in this change order have been paid as part of CCO 108 resolution. Therefore, the amount due under this change order will be adjusted by the amount paid under CCO 108 to prevent a double payment. Total amount paid under CCO 108, and to be credited to this change, is \$760,670.00.

Adjustment of Compensation at Lump Sum Price..... <\$760,670.00>

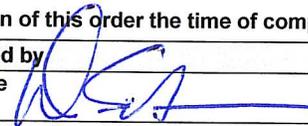
**CHANGE ORDER COST AND TIME SUMMARY:**

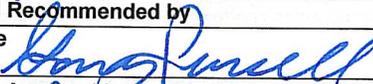
(ITEM 1) Net value of this change order	\$760,670.00
(ITEM 2) Amount paid under CCO 108 for this change order	<\$760,670.00>
<hr/>	
Total net pay for this change order.....	\$0.00

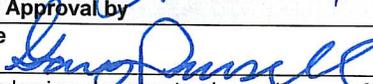
Contract time is addressed in CCO 108 for all work identified in this change order. Therefore, contract time will not be adjusted in this change order.

Estimated Cost:    Increase     Decrease     \$0.00

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

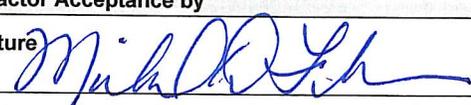
Submitted by		Resident Engineer	Date	2/3/10
Signature		Darryl Schram for Gary Pursell, Sup.T.E.	Date	2/3/10

Approval Recommended by		Supervising Transportation Engineer	Date	2/3/10
Signature		Gary Pursell, Sup.T.E.	Date	2/3/10

Engineer Approval by		Supervising Transportation Engineer	Date	2/23/10
Signature		Gary Pursell, Sup.T.E.	Date	2/23/10

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		(Print name and title)	Date	2-22-10
Signature		Michael D. Flowers Project Director	Date	2-22-10