

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 3 TO THE CONTRACT BETWEEN THE CITY OF DENTON AND SUNDT CONSTRUCTION, INC., FOR THE BONNIE BRAE PHASE 3 WIDENING AND RECONSTRUCTION PROJECT FOR THE CAPITAL PROJECTS DEPARTMENT; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (CSP 8094-1 – CHANGE ORDER NO. 3 IN THE NOT-TO-EXCEED AMOUNT OF \$2,388,362.16, FOR A TOTAL CONTRACT AWARD AGGREGATED TO \$42,707,207.63).

WHEREAS, on August 15, 2023, by Ordinance No. 23-1524, the City Council awarded a contract to Sundt Construction, Inc., in the amount of \$40,318,845.47, for the Bonnie Brae Phase 3 Widening and Reconstruction Project for the Capital Projects Department; and

WHEREAS, on June 17, 2024, Purchasing awarded a Change Order No. 1 between the City of Denton and Sundt Construction, Inc., in the amount of \$44,157.00; and

WHEREAS, on December 9, 2024, Purchasing awarded a Change Order No. 2 between the City of Denton and Sundt Construction, Inc., in the amount of \$365,742.00; and

WHEREAS, this procurement was undertaken as part of the City's governmental function; and

WHEREAS, the Staff having recommended, and the City Manager having recommended to the Council that a change order be authorized to amend such contract agreement with respect to the scope of work and an increase in the payment amount; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. Change Order No. 3, increasing the amount of the contract between the City and Sundt Construction, Inc., which is on file in the office of the Purchasing Agent, in the amount of Two Million Three Hundred Eighty-Eight Thousand Three Hundred Sixty-Two and 16/100 (\$2,388,362.16) dollars, is hereby approved and the expenditure of funds therefore is hereby authorized in accordance with said change order. The total purchase order amount increases to 42,707,207.63.

SECTION 2. This ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. This ordinance was passed and approved by the following vote [\_\_\_ - \_\_\_]:

	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
GERARD HUDSPETH, MAYOR

ATTEST:  
LAUREN THODEN, CITY SECRETARY

BY: \_\_\_\_\_

APPROVED AS TO LEGAL FORM:  
MACK REINWAND, CITY ATTORNEY

BY: Marcella Lunn



Docusign City Council Transmittal Coversheet

RFP	8094-1
File Name	Bonnie Brae Phase 3 CO#3
Purchasing Contact	Cori Power
City Council Target Date	
Piggy Back Option	Not Applicable
Contract Expiration	
Ordinance	

Contractor: Sundt Construction, Inc.  
8445 Freeport Pkwy Suite 240  
Irving, TX 75063  
Holly Horsak

3

205669

New Completion Date:  
11/11/2026

Approved CO Days: 0      New Contract Days: 1122

Description of work included in Contract:

Widen and reconstruct Bonnie Brae Phase 3 from FM1515/Airport Road to Roselawn Drive from a 2-lane rural roadway to a 4-lane divided urban street section. Includes drainage, water & wastewater improvements.

Costs related to the delay of the Enlink gas line relocation and abandonment of the existing line in the path of the future alignment of Bonnie Brae between Parvin and Roselawn. The City began negotiating with Enlink in 2020. Terms were not agreed upon until after Sundt was issued a Notice To Proceed. Enlink completed their relocation and abandonment efforts on October 28, 2024. The decision to move forward with bidding and NTP for construction of the roadway was based on the city's need to meet TxDOT's I-35 Merge project schedule. Total delay was 377 days from the 10.16.2023 NTP.

### QUANTITY CHANGES TO EXISTING ITEMS

<b>TOTAL CUA EXISTING ITEMS:</b>	<b>\$287,320.00</b>
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347		SWPPP Maintenance	MO	0	11	\$ 8,517.85	\$ 93,696.30
340		Craft Labor & Equip Escalation	LS	0	1	\$ 240,961.57	\$ 240,961.57
341		Material Escalation	LS	0	1	\$ 310,401.96	\$ 310,401.96
342		Subcontractor Escalation	LS	0	1	\$ 10,920.00	\$ 10,920.00
344		Re-Clearing of Culvert A Area	LS	0	1	\$ 6,994.50	\$ 6,994.50
346		Street Sweeping	MO	0	11	\$ 4,585.78	\$ 50,443.62

TOTAL CUA NEW ITEMS:	\$713,417.95
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337		General Conditions (Staff/Overhead)	LS	0	1	\$ 2,224,534.14	\$ 2,224,534.14
338		Trucking Escalation	LS	0	1	\$ 13,416.10	\$ 13,416.10
339		Drainage Inefficiencies (Labor, Equip & Sub)	LS	0	1	\$ 42,579.62	\$ 42,579.62
343		Insurance	LS	0	1	\$ 43,683.08	\$ 43,683.08
348		Traffic Control Escalation	MO	0	11	\$ 3,918.00	\$ 43,098.00
349		Dust Control	MO	0	11	\$ 1,913.75	\$ 21,051.22

TOTAL NON CONTINGENCY FUNDED NEW ITEMS:	\$2,388,362.16
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<b>TOTAL CHANGE AMOUNT:</b>	<b>\$3,389,100.11</b>
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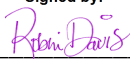
## Bonnie Brae Phase 3 Widening & Reconstruction

Original BID/Contract Amount:	\$	38,398,900.45
Original Not To Exceed Amount:	\$	40,318,845.47
Total CUA's:	\$	1,410,636.95
Total CO's:	\$	2,388,362.16
<b>Revised Contract Amount:</b>	<b>\$</b>	<b>42,197,899.56</b>
% of CUA Approved To-Date:		73.47%
<b>Total Changes over Original Bid:</b>		<b>9.89%</b>
Percent Changes over NTE:		5.92%

Signatory Lines will be updated by Purchasing if required

THE AFOREMENTIONED CHANGE, AND WORK AFFECTED THEREBY,  
IS SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

SUBMITTED BY:

Signed by:  
  
Robin Davis, Project Manager

ACCEPTED BY CITY ENGINEER/DIRECTOR OF CAPITAL PROJECTS

Signed by:  
  
Seth Garcia, Interim Director of Capital Projects

ACCEPTED BY CONTRACTOR: Holly Horsak Sr. Project Manager  
Name, Title

DocuSigned by:  
  
Signature

CITY MANAGER:

Signature


ATTEST: CITY SECRETERY

Signature

PURCHASING:

DocuSigned by:  
  
Signature

APPROVED AS TO LEGAL FORM:

DocuSigned by:  
  
Signature

## Certificate Of Completion

Envelope Id: 0799EC5B-FFC3-4B76-A9CB-CE6C0B7BA9E3

Status: Sent

Subject: Please DocuSign: City Council Contract 8094-1 Bonnie Brae Phase 3 CO#3

Source Envelope:

Document Pages: 3

Signatures: 5

Envelope Originator:

Certificate Pages: 6

Initials: 1

Cori Power

AutoNav: Enabled

901B Texas Street

Envelopeld Stamping: Enabled

Denton, TX 76209

Time Zone: (UTC-06:00) Central Time (US & Canada)

cori.power@cityofdenton.com

IP Address: 198.49.140.10

## Record Tracking

Status: Original

Holder: Cori Power

Location: DocuSign

3/24/2025 11:31:18 AM

cori.power@cityofdenton.com

## Signer Events

### Signature

### Timestamp

Cori Power

**Completed**

Sent: 3/24/2025 11:32:34 AM

cori.power@cityofdenton.com

Viewed: 3/24/2025 11:35:29 AM

Purchasing Supervisor

Signed: 3/24/2025 11:35:56 AM

City of Denton

Using IP Address: 198.49.140.10

Security Level: Email, Account Authentication (None)

### Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Lori Hewell

DocuSigned by:

*Lori Hewell*  
13E1D934887C40F...

Sent: 3/24/2025 11:35:58 AM

lori.hewell@cityofdenton.com

Viewed: 3/24/2025 11:54:50 AM

Purchasing Manager

Signed: 3/24/2025 11:54:55 AM

City of Denton

Signature Adoption: Pre-selected Style

Security Level: Email, Account Authentication (None)

Using IP Address: 198.49.140.10

### Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Marcella Lunn

DocuSigned by:

*Marcella Lunn*  
4B070831B4AA43B...

Sent: 3/24/2025 11:54:57 AM

marcella.lunn@cityofdenton.com

Viewed: 3/25/2025 12:39:25 PM

Senior Deputy City Attorney

Signed: 3/25/2025 12:40:46 PM

City of Denton

Signature Adoption: Pre-selected Style

Security Level: Email, Account Authentication (None)

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### Electronic Record and Signature Disclosure:

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Robin Davis

Signed by:

*Robin Davis*  
1786071FDEE947C...

Sent: 3/25/2025 12:40:48 PM

Robin.Davis@cityofdenton.com

Viewed: 3/25/2025 1:42:05 PM

Project Manager- Capital Projects

Signed: 3/25/2025 1:43:46 PM

Security Level: Email, Account Authentication (None)



Signature Adoption: Uploaded Signature Image

Using IP Address: 198.49.140.10

### Electronic Record and Signature Disclosure:

Accepted: 3/25/2025 1:42:05 PM

ID: e1d27084-84f7-4270-abc0-5b7c7188aef2

Signer Events	Signature	Timestamp
<p>Holly Horsak hkhorsak@sundt.com Sr. Project Manager Sundt Construction Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Accepted: 3/25/2025 1:45:02 PM ID: e0e3c75d-89d0-413d-8435-e3b55014cf8a</p>	<p>DocuSigned by:  B20E226A98C24FF...</p> <p>Signature Adoption: Pre-selected Style Using IP Address: 155.190.17.6</p>	<p>Sent: 3/25/2025 1:43:47 PM Viewed: 3/25/2025 1:45:02 PM Signed: 3/25/2025 4:54:44 PM</p>
<p>Seth Garcia Seth.Garcia@cityofdenton.com Interim Director of Capital Projects Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Accepted: 3/25/2025 4:57:36 PM ID: edb3568f-f368-46f9-857a-d25d2a4c8698</p>	<p>Signed by:  A13701F6BC954FC...</p> <p>Signature Adoption: Pre-selected Style Using IP Address: 198.49.140.10</p>	<p>Sent: 3/25/2025 4:54:46 PM Viewed: 3/25/2025 4:57:36 PM Signed: 3/25/2025 4:58:03 PM</p>
<p>Cheyenne Defee cheyenne.defee@cityofdenton.com Procurement Administration Supervisor City of Denton Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</p>		<p>Sent: 3/25/2025 4:58:07 PM</p>
<p>Sara Hensley sara.hensley@cityofdenton.com Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</p>		
<p>Lauren Thoden lauren.thoden@cityofdenton.com Security Level: Email, Account Authentication (None)</p> <p><b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</p>		

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
<div>Cheyenne Defee cheyenne.defee@cityofdenton.com Procurement Administration Supervisor City of Denton Security Level: Email, Account Authentication (None) <b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</div>	<div>COPIED</div>	<div>Sent: 3/24/2025 11:35:58 AM</div>
<div>Gretna Jones gretna.jones@cityofdenton.com Legal Secretary City of Denton Security Level: Email, Account Authentication (None) <b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</div>	<div>COPIED</div>	<div>Sent: 3/25/2025 4:58:06 PM Viewed: 3/26/2025 4:21:07 PM</div>
<div>City Secretary Office citysecretary@cityofdenton.com Security Level: Email, Account Authentication (None) <b>Electronic Record and Signature Disclosure:</b> Not Offered via DocuSign</div>		
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/24/2025 11:32:34 AM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		



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To contact us by email send messages to: [purchasing@cityofdenton.com](mailto:purchasing@cityofdenton.com)

**To advise City of Denton of your new e-mail address**

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at [melissa.kraft@cityofdenton.com](mailto:melissa.kraft@cityofdenton.com) and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

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**Required hardware and software**

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"><li>•Allow per session cookies</li><li>•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection</li></ul>

\*\* These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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