

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE CITY OF DENTON AND TEXAS MATERIALS GROUP, INC., FOR THE CONSTRUCTION OF THE ROBINWOOD RECONSTRUCTION PROJECT FOR THE CAPITAL PROJECTS DEPARTMENT; PROVIDING FOR THE EXPENDITURE OF FUNDS THEREFOR; AND PROVIDING AN EFFECTIVE DATE (CSP 8586 – CHANGE ORDER NO. 1 IN THE NOT-TO-EXCEED AMOUNT OF \$301,421.50, FOR A TOTAL CONTRACT AWARD AGGREGATED TO \$3,097,446.88).

WHEREAS, on September 17, 2024, by Ordinance No. 24-1773, the City Council awarded a contract to Texas Materials Group, Inc., in the amount of \$2,796,025.38, for the construction of the Robinwood Reconstruction Project with the geographical limits as follows: Robinwood Lane, Clover Lane, Live Oak Street, Shadywood Street, and Mistywood Lane for the Capital Projects Department; and

WHEREAS, this procurement was undertaken as part of the City’s governmental function [Street construction and design]; 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. 1, increasing the amount of the contract between the City and Texas Materials Group, Inc., which is on file in the office of the Purchasing Agent, in the amount of Three Hundred One Thousand Four Hundred Twenty-One and 50/100 (\$301,421.50) 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 \$3,097,446.88.

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 [___ - ___]:

	Aye	Nay	Abstain	Absent
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.

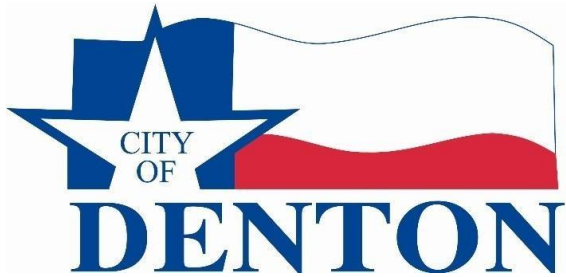
GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____


APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: Marcella Lunn



Docusign City Council Transmittal Coversheet

FILE	8586
File Name	Robinwood Reconstruction
Purchasing Contact	Cori Power
City Council Target Date	
Piggy Back Option	Not Applicable
Contract Expiration	
Ordinance	

CITY OF DENTON CHANGE ORDER FORM							
		City of Denton - Capital Projects 401 N. Elm Street Denton, TX 76201 Sheldon Gatewood, Project Manager		Contractor: Texas Materials 420 Decker Dr, Suite 200 Irving, Texas 75062 Juan Garcia			
Proj: <u>Robinwood Reconstruction</u> CSP# <u>8586</u>		ENG/PMO# <u>230016-1</u>		CHANGE ORDER NO. <u>1</u> PO# <u>208613</u>			
Notice To Proceed Issued: 12/2/2024		Current Completion Date: 5/31/2025		New Completion Date: 5/31/2025			
Contract BID Amount: \$ 2,662,881.31		Prior Approved Other Funded CO's: \$ -					
5% Contingency Amount: \$ 133,144.07		Current Contract Amount w CO's: \$ 2,662,881.31					
Total NTE Amount : \$ 2,796,025.38		This CO Non-Contingency Fund Request: \$ 101,421.50					
Prior Approved CUA's: \$ -		Total Change Request: \$ 434,558.46					
Available Contingency: \$ 133,144.07							
This CUA Request: \$ 133,136.96		Orig Contract Days: 180		This CO Days Request: 0			
Contingency Remaining: \$ 7.11		Approved CO Days: 0		New Contract Days: 180			
Contingency Added: \$ 200,000.00							
PROJECT SCOPE AND REASON FOR CHANGE							
Description of work included in Contract:		Full road reconstruction of Robinwood, Clover, Mistywood, and Shadywood, along with drainage improvements.					
Reason for change:							
		During construction, Subgrade material was more sand than clay. Raba Kistner was called on-site to perform a cement series test. Test results provided guidance to switch materials from lime to cement for subgrade stabilization.					
		During this testing phase, 1 was lime stabilized, and lift one was poured. Crumbing of Type B appeared, so the first lift should be removed to be restabilized and repoured.					
CONTINGENCY USE ALLOWANCE (CUA) CONTRACT CHANGES							
QUANTITY CHANGES TO EXISTING ITEMS							
Item No.	Spec. Section No.	Description of work	UOM	BID QTY	+/- QTY	Unit Price	Extended Price
21	32 11 29	Lime Treated Subgrade	SY	14,949	-8,991	\$ 12.75	\$ (114,635.25)
22	32 11 29	Hydrated Lime	Ton	565	-283	\$ 352.15	\$ (99,658.45)
9	02 41 15	Surface Milling (2")	SY	340	4,957	\$ 6.55	\$ 32,468.35
23	32 12 16	Asphalt Pavement Type B (2")	SY	14,437	4,957	\$ 20.23	\$ 100,280.11
Contingency funds are used at City's discretion per contract spec language						TOTAL CUA EXISTING ITEMS:	- \$81,545.24
NEW ITEMS OF WORK							
Co1-1		Cement Materials for Stabilization @ 54#/SY	Ton	0	378	\$ 447.55	\$ 169,173.90
Co1-2		Cement Stabilization & Manipulation	SY	0	4,330	\$ 10.51	\$ 45,508.30
Contingency funds are used at City's discretion per contract spec language						TOTAL CUA NEW ITEMS:	\$214,682.20
ADDITIONAL CONTINGENCY ALLOWANCE CONTRACT CHANGES							
NEW CONTINGENCY ALLOWANCE CHANGES							
	00 72 00	Addittional Contingency Allowance for the sole use of the City, per 12.02 of General Conditions	LS		1	\$ 200,000.00	\$ 200,000.00
Contingency funds are used at City's discretion per contract spec language						TOTAL ADDITIONAL CONTINGENCY ITEMS:	\$200,000.00
PROJECT (NON-CONTINGENCY) FUNDED CONTRACT CHANGES (CO)							
QUANTITY CHANGES TO EXISTING ITEMS							
Item No.	Spec. Section No.	Description of work	UOM	BID QTY	+/- QTY	Unit Price	Extended Price
TOTAL PROJECT (NON-CONTINGENCY) FUNDED EXISTING QTY CHANGES:							\$0.00
NEW ITEMS OF WORK							
Co1-2		Cement Stabilization & Manipulation	SY	0	9,650	\$ 10.51	\$ 101,421.50
TOTAL PROJECT (NON-CONTINGENCY) FUNDED NEW ITEMS:							\$101,421.50
TOTAL CO AMOUNT:							\$434,558.46
<u>Robinwood Reconstruction</u>		Original BID/Contract Amount: \$ 2,662,881.31					
		Original Not To Exceed Amount: \$ 2,796,025.38					
		Total CUA's: \$ 133,136.96					
		Total CO's: \$ 101,421.50					
		Contingency Added to NTE: \$ 200,000.00					
		Revised Contract Amount: \$ 2,897,439.77					
		% of CUA Approved To-Date: 100%					
		Total Changes over Original Bid: 8.81%					
		Percent Changes over NTE: 10.78%					

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

SUBMITTED BY:

Signed by:
Sheldon Gatewood
57056FE70827443...
Sheldon Gatewood, Project Manager

ACCEPTED BY CITY ENGINEER/DIRECTOR OF CAPITAL PROJECTS

Signed by:
Seth Garcia Interim Director of Capital Projects
A13701F6BC954FC...
Signature

ACCEPTED BY CONTRACTOR: Ron Stinson Estimating Manager
Name, Title

Signed by:
Ron Stinson
B7E70BDF56894AA...
Signature

CITY MANAGER:

Signature

ATTEST: CITY SECRETERY

Signature

PURCHASING:

DocuSigned by:
Lori Hewell
18F1D934887C40F...
Signature

APPROVED AS TO LEGAL FORM:

DocuSigned by:
Marcella Lunn
4B970831B4AA438...
Signature

Robinwood Reconstruction

CHANGE ORDER NO. 1

Total Change Request: \$ 434,558.46

Certificate Of Completion

Envelope Id: E18D795D-6019-45E8-950F-EDC87719E144

Status: Sent

Subject: Please DocuSign: City Council Contract 8586 Robinwood Reconstruction CO#1

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: 198.49.140.104

Record Tracking

Status: Original

Holder: Cori Power

Location: DocuSign

3/18/2025 1:26:08 PM

cori.power@cityofdenton.com

Signer Events

Signature

Timestamp

Cori Power

Completed

Sent: 3/18/2025 1:40:13 PM

cori.power@cityofdenton.com

Viewed: 3/18/2025 2:35:40 PM

Purchasing Supervisor

Signed: 3/18/2025 2:38:07 PM

City of Denton

Using IP Address: 198.49.140.104

Security Level: Email, Account Authentication (None)

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Lori Hewell

DocuSigned by:

Lori Hewell
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Sent: 3/18/2025 2:38:08 PM

lori.hewell@cityofdenton.com

Viewed: 3/18/2025 4:54:02 PM

Purchasing Manager

Signed: 3/18/2025 4:54:11 PM

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
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Sent: 3/18/2025 4:54:12 PM

marcella.lunn@cityofdenton.com

Viewed: 3/20/2025 9:19:29 AM

Senior Deputy City Attorney

Signed: 3/20/2025 9:22:14 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

Sheldon Gatewood

Signed by:

Sheldon Gatewood
57056FE70827443...

Sent: 3/20/2025 9:22:16 AM

sheldon.gatewood@cityofdenton.com

Viewed: 3/20/2025 9:27:12 AM

Security Level: Email, Account Authentication (None)

Signed: 3/20/2025 9:27:35 AM

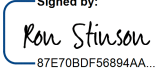

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Using IP Address: 198.49.140.10

Electronic Record and Signature Disclosure:

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ID: 25ad16e6-276b-4fd8-b1fb-60f3b41fd939

Signer Events	Signature	Timestamp
Ron Stinson ronald.stinson@texasmaterials.com Estimating Manager Security Level: Email, Account Authentication (None)	<div>Signed by:  87E70BDF56894AA...</div> <div>Signature Adoption: Pre-selected Style Using IP Address: 47.161.7.93</div>	Sent: 3/20/2025 9:27:37 AM Viewed: 3/20/2025 10:21:58 AM Signed: 3/20/2025 10:42:39 AM
Electronic Record and Signature Disclosure: Accepted: 3/20/2025 10:21:58 AM ID: 18f9bc9e-8101-4f3b-bf19-87f7dd0473d1		
Seth Garcia Seth.Garcia@cityofdenton.com Interim Director of Capital Projects Security Level: Email, Account Authentication (None)	<div>Signed by:  A13701F6BC954FC...</div> <div>Signature Adoption: Pre-selected Style Using IP Address: 107.77.218.5 Signed using mobile</div>	Sent: 3/20/2025 10:42:42 AM Viewed: 3/20/2025 10:43:56 AM Signed: 3/20/2025 10:44:30 AM
Electronic Record and Signature Disclosure: Accepted: 3/20/2025 10:43:56 AM ID: bbbde305-0f4e-45f7-8c0c-c127a2a3fb00		
Cheyenne Defee cheyenne.defee@cityofdenton.com Procurement Administration Supervisor City of Denton Security Level: Email, Account Authentication (None)		Sent: 3/20/2025 10:44:34 AM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Sara Hensley sara.hensley@cityofdenton.com Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Lauren Thoden lauren.thoden@cityofdenton.com Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

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
Cheyenne Defee cheyenne.defee@cityofdenton.com Procurement Administration Supervisor City of Denton Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 3/18/2025 2:38:09 PM
Gretna Jones gretna.jones@cityofdenton.com Legal Secretary City of Denton Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 3/20/2025 10:44:33 AM Viewed: 3/20/2025 11:16:03 AM
City Secretary Office citysecretary@cityofdenton.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Sheldon Gatewood sheldon.gatewood@cityofdenton.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 3/20/2025 9:27:12 AM ID: 25ad16e6-276b-4fd8-b1fb-60f3b41fd939		

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	3/18/2025 1:40:13 PM
Envelope Updated	Security Checked	3/18/2025 2:37:37 PM
Envelope Updated	Security Checked	3/18/2025 2:37:37 PM
Envelope Updated	Security Checked	3/18/2025 2:37:37 PM

Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: 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 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..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

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To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to purchasing@cityofdenton.com and in the body of such request you must state your e-mail, full name, US Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** 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.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
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