

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 5 TO THE CONTRACT BETWEEN THE CITY OF DENTON AND SUNDT CONSTRUCTION, INC., FOR THE CONSTRUCTION OF 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. 5 IN THE NOT-TO-EXCEED AMOUNT OF \$1,048,785.81, FOR A TOTAL CONTRACT AWARD AGGREGATED TO \$43,755,993.44).

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, on April 15, 2025, City Council awarded a Change Order No. 3 between the City of Denton and Sundt Construction, Inc., in the amount of \$2,388,362.16; and

WHEREAS, on October 24, 2025, Purchasing awarded a Change Order No. 4 between the City of Denton and Sundt Construction, Inc., in the amount of \$359,778.62; 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. 5, 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 One Million Forty-Eight Thousand Seven Hundred Eighty-Five and 81/100 (\$1,048,785.81) 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 \$43,755,993.44.

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 _____. The ordinance was passed and approved by the following vote [____ - ____]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Jordan Villarreal, District 1:	_____	_____	_____	_____
Nick Stevens, District 2:	_____	_____	_____	_____
Suzi Rumohr, 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 _____, 2026.

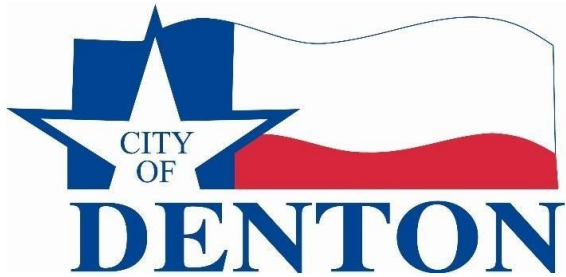
GERARD HUDSPETH, MAYOR

ATTEST:
KRISTI FOGLE, INTERIM CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: Leah Bush



Docusign City Council Transmittal Coversheet

RFP	8094-1
File Name	Bonnie Brae 3 Widening & Relocation - CO#5
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		Contractor: Sundt Construction, Inc.			
		401 N. Elm Street Denton, TX 76201 Robin Davis, Project Manager		8445 Freeport Pkwy Suite 240 Irving, TX 75063 Holly Horsak			
Proj: Bonnie Brae Phase 3 Widening & Reconstruction				CHANGE ORDER NO. 5			
IFB# 8094-1		ENG/PMO# 880006-3		PO# 205669			
Notice To Proceed Issued: 10/16/2023		Current Completion Date: 11/11/2026		New Completion Date: 11/11/2026			
Contract BID Amount: \$ 38,398,900.45				Prior Approved Other Funded CO's: \$ 2,388,362.16			
5% Contingency Amount: \$ 1,919,945.02				Current Contract Amount: \$ 42,557,678.18			
Total NTE Amount : \$ 40,318,845.47				This CO Other Funding Request: \$ 1,048,785.81			
Prior Approved CUA's: \$ 1,770,415.57				Total Change Request: \$ 1,048,785.81			
Available Contingency: \$ 149,529.45							
This CUA Request: \$ -		Orig Contract Days: <u>912</u>		This CO Days Request: <u>0</u>			
Contingency Remaining: \$ 149,529.45		Approved CO Days: <u>210</u>		New Contract Days: <u>1122</u>			
PROJECT SCOPE AND REASON FOR CHANGE							
SCOPE 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 as well as street lighting and sidewalks/sidepaths.					
Reason for Change:							
Airport Road/FM 1515: \$ (47,055.77)		TxDOT requested change from concrete to asphalt since TxDOT will be replacing this section with the future FM 1515 reconstruction/widening project.					
Parvin Street Changes: \$ 1,750.00		Extended Asphalt section and changed from ribbon curb to curb & gutter to avoid DME conflict.					
Willowood St. Changes: \$ 6,345.00		Changed 331 LF of Concrete Ribbon Curb to Concrete Curb & Gutter to improve protection at edge of roadway.					
Driveway Revisions: \$ (4,765.00)		The driveway for Nat'l Wholesale was changed from a future street section to a commercial driveway. Eliminated one (1) driveway, added a new drive not included in plans, widened two (2) gas well entrances to accommodate large trucks, slope improvements needed at various drives and changed lime stabilization to flexbase in approach area to cross existing 8-inch water line.					
CPCKS RR ROW Asphalt: \$ 19,550.00		The asphalt transition within the CPCKS RR ROW was not included in the project plans. Once CPCKS completed their Rail widening work, the asphalt section was completed by Sundt.					
Street Revisions: \$ (107,452.75)		Added 2 left turn lanes at both gas well entrances south of the RR to ensure proper radius for large trucks. Credit for detour TCP not needed as multiple phases were paved during full closure of Bonnie Brae. Concrete Panel replacement required due to Porta Potty being set on fire overnight.					
Drainage Revisions: \$ (10,040.00)		Deletion of L7 due to conflict with SS and N12 due to conflict with TxDOT Project. Deletion of 2 manholes once lateral was ran straight to inlets, extension of Inlet I-4 to accommodate gas well driveway widening and extension of 30" RCP (K-1) due to conflict with Sidewalk crossing PCKCS RR Tracks.					
Water Revisions: \$ 1,190,454.33		Water utilities request to upgrade existing 8inch to 12inch under PCKCS RR tracks (Bore). Adjustment of existing 42" water line Manholes to match elevation of new street grade as well as the relocation of existing water flush point STA 193+85 (not shown on plans) in conflict with 10ft Shared Use Path as well as other misc work-arounds due to conflicts.					
CONTINGENCY USE ALLOWANCE (CUA) CONTRACT CHANGES							
Contingency is not being used for this Change Order							
OTHER 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
9	31 23 16	EXCAVATION	CY	42,773	1,788	\$ 20.00	\$ 35,760.00
10	02 41 15	REMOVE EXISTING CONCRETE PAVING	SY	5,759	1,569	\$ 20.00	\$ 31,380.00
11	02 41 15	REMOVE EXISTING ASPHALT PAVING	SY	19,834	-1,529	\$ 6.00	\$ (9,174.00)
14	32 11 29	12" LIME SLURRY (54LBS/SY)	TON	1,976	-94	\$ 325.00	\$ (30,452.50)
15	32 11 29	12" LIME TREATED SUBGRADE	SY	73,180	48	\$ 5.00	\$ 240.00
16	32 11 23	ROADBED BASE	SY	195	-168	\$ 40.00	\$ (6,720.00)
17	32 13 13	CONCRETE PAVEMENT 6-INCH	SY	890	127	\$ 95.00	\$ 12,065.00
18	32 13 13	CONCRETE PAVEMENT 8-INCH	SY	3,224	-73	\$ 105.00	\$ (7,665.00)
19	32 13 13	CONCRETE PAVEMENT 10-INCH	SY	2,825	-53	\$ 115.00	\$ (6,095.00)
20	32 13 13	CONCRETE PAVEMENT 11-INCH	SY	59,272	215	\$ 130.00	\$ 27,950.00
21	32 12 16	ASPHALT PAVEMENT, TY C, SAC-A, PG64-22, 2"	SY	3,548	387	\$ 30.00	\$ 11,610.00
22	32 12 16	ASPHALT PAVEMENT, TY B, PG64-22, 4"	SY	145	-21	\$ 40.00	\$ (840.00)
23	32 12 16	ASPHALT PAVEMENT, TY B, PG64-22, 7"	SY	1,704	53	\$ 70.00	\$ 3,710.00
24	32 12 16	ASPHALT PAVEMENT, TY B, PG64-22, 10"	SY	1,699	355	\$ 85.00	\$ 30,175.00
25	32 16 00	CONCRETE CURB & GUTTER 30-INCH	LF	1,492	333	\$ 45.00	\$ 14,985.00
26	32 16 00	CONCRETE RIBBON CURB	LF	662	-662	\$ 50.00	\$ (33,100.00)
27	32 16 00	MONOLITHIC CURB	LF	29,790	-93	\$ 7.50	\$ (697.50)

29	32 16 00	10-FOOT SHARED USE PATH 5-INCH	SY	12,946	-24	\$	85.00	\$	(2,040.00)
35	32 12 16	TEMPORARY ASPHALT PAVEMENT, TY B, PG64-22, 6"	SY	4,910	-2,160	\$	58.50	\$	(126,360.00)
41	32 13 16	4-INCH STAMPED & STAINED CONCRETE	SY	2,755	-82	\$	170.00	\$	(13,940.00)
50	33 42 11	18" RCP (CL III)	LF	3,025	24	\$	120.00	\$	2,880.00
55	33 42 11	30" RCP (CL III)	LF	784	65	\$	160.00	\$	10,400.00
57	33 42 11	36" RCP (CL III)	LF	526	-57	\$	260.00	\$	(14,820.00)
71	33 42 33	4' x 4' "Y" Inlet	EA	2	-1	\$	8,500.00	\$	(8,500.00)
72	33 42 33	Drop Inlet Type 1	EA	1	-1	\$	7,000.00	\$	(7,000.00)
73	TxDOT 465	Type M Manhole	EA	21	-1	\$	13,000.00	\$	(13,000.00)
210	681.6001	TEMP TRAF SIGNALS	EA	1	-1	\$	120,000.00	\$	(120,000.00)
233	32 17 23	TYPE IB EDGELINE	LF	493	1,289	\$	1.25	\$	1,611.25
244	32 17 23	TYPE VB DIAGONAL MARKING	LF	65	38	\$	12.00	\$	456.00
TOTAL OTHER FUNDED EXISTING QTY CHANGES:									-\$217,181.75
NEW ITEMS OF WORK									
355	RFI 69	Airport Road & Ph 8 Flex Base	TON	0	2149	\$	20.45	\$	43,947.05
356	RFI 69	Airport Road & Ph 8 Filter Fabric	SY	0	4000	\$	1.72	\$	6,872.00
357	RFI 69	Airport Road & Ph 8 TCP reconstruction	LS	0	1	\$	4,694.18	\$	4,694.18
358	RFI 48	Relocate water Flush Point	LS	0	1	\$	21,695.25	\$	21,695.25
359	RFI 50	Water Utilities Conflicts Work-arounds	LS	0	1	\$	25,380.22	\$	25,380.22
360	RFI 90	Flowfill Subgrade replacement due to 42-Inch water transmission line trench	LS	0	1	\$	26,335.00	\$	26,335.00
361	RFI 91	42-inch Water line Manhole Adjustments	LS	0	1	\$	19,874.00	\$	19,874.00
362	RFI 72	Water requested Upgrade from 8inch to 12 inch under RR Tracks	LS	0	1	\$	1,117,169.86	\$	1,117,169.86
TOTAL OTHER FUNDED NEW ITEMS:									\$1,265,967.56
TOTAL CHANGE AMOUNT:									\$1,048,785.81
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: \$ 1,770,415.57 Total CO's: \$ 3,437,147.97 Revised Contract Amount: \$ 43,606,463.99 % of CUA Approved To-Date: 92.21% Total Changes over Original Bid: 13.56% Percent Changes over NTE: 8.15%									

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

SUBMITTED BY:

ACCEPTED BY CITY ENGINEER/DIRECTOR OF CAPITAL PROJECTS

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

CITY MANAGER:

ATTEST:

APPROVED AS TO LEGAL FORM:

Signed by:
Robin Davis
A13701F6B0C054FC
Robin Davis, Project Manager

Signed by:
Seth Garcia
A13701F6B0C054FC
Seth Garcia, Director-Capital Projects

DocuSigned by:
Holly Horsak
B20E328A68C24FF...
Signature

Signature

Signature

Signed by:
Leah Bush
1AB254145B0A469...
Signature

Certificate Of Completion

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Status: Sent

Subject: Please DocuSign: City Council Contract 8094-1 - Bonnie Brae 3 Widening & Relocation - CO#5

Source Envelope:

Document Pages: 3

Signatures: 4

Envelope Originator:

Certificate Pages: 7

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

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cori.power@cityofdenton.com

Signer Events

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Cori Power

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cori.power@cityofdenton.com

Viewed: 5/5/2026 9:33:41 AM

Purchasing Supervisor

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City of Denton

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Cori Power

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cori.power@cityofdenton.com

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Electronic Record and Signature Disclosure:

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Lori Hewell

Initial

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lori.hewell@cityofdenton.com

Resent: 5/5/2026 3:27:03 PM

Purchasing Manager

Viewed: 5/5/2026 9:44:21 AM

City of Denton

Signed: 5/5/2026 4:46:15 PM

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Signature Adoption: Pre-selected Style

Using IP Address: 198.49.140.10

Electronic Record and Signature Disclosure:

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Robin Davis

Signed by:

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Robin.Davis@cityofdenton.com

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Project Manager- Capital Projects

Viewed: 5/6/2026 8:53:57 AM

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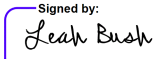
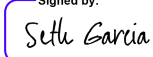
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Electronic Record and Signature Disclosure:

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Signer Events	Signature	Timestamp
Leah Bush leah.bush@cityofdenton.com Assistant City Attorney Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	Signed by:  3A6254145BDA469... Signature Adoption: Pre-selected Style Using IP Address: 198.49.140.10	Sent: 5/6/2026 8:57:23 AM Viewed: 5/6/2026 9:33:30 AM Signed: 5/7/2026 11:35:32 AM
Holly Horsak hkhorsak@sundt.com Sr. Project Manager Sundt Construction Security Level: Email, Account Authentication (None), Login with SSO Electronic Record and Signature Disclosure: Accepted: 5/8/2026 9:38:36 AM ID: c48b33e4-c5aa-40cb-81f6-d0265640ebf6	DocuSigned by:  B20E226A98C24FF... Signature Adoption: Pre-selected Style Using IP Address: 155.190.9.6	Sent: 5/7/2026 11:35:35 AM Viewed: 5/8/2026 9:38:36 AM Signed: 5/8/2026 9:53:40 AM
Seth Garcia Seth.Garcia@cityofdenton.com Director of Capital Projects Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Accepted: 5/8/2026 10:27:50 AM ID: c81e8dd4-4afa-4d30-bb12-eade9cd6871c	Signed by:  A13701F6BC954FC... Signature Adoption: Pre-selected Style Using IP Address: 198.49.140.10	Sent: 5/8/2026 9:53:42 AM Viewed: 5/8/2026 10:27:50 AM Signed: 5/8/2026 10:28:15 AM
Cori Power cori.power@cityofdenton.com Purchasing Supervisor City of Denton Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	Completed Using IP Address: 75.226.212.31 Signed using mobile	Sent: 5/8/2026 10:28:21 AM Viewed: 5/8/2026 10:38:15 AM Signed: 5/8/2026 10:38:47 AM
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		Sent: 5/8/2026 10:38:50 AM
Cassey Ogden Cassey.Ogden@cityofdenton.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Kristi Fogle Kristi.Fogle@cityofdenton.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure:		

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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
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: 5/5/2026 9:34:20 AM
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: 5/8/2026 10:28:19 AM Viewed: 5/11/2026 11:00:37 AM
City Secretary Office citysecretary@cityofdenton.com Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

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Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

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.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Denton:

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.

To request paper copies from City of Denton

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to purchasing@cityofdenton.com and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Denton

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:	•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.

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