

**To: Mayor and Town Council**

**From: Hulon T. Webb, Jr., P.E., Director of Engineering Services**

**Through: Mario Canizares, Town Manager  
Chuck Ewings, Assistant Town Manager**

**Re: Fishtrap (Teel – Gee Road) & Gee Road (Fishtrap - Windsong Retail:  
Change Order No. 02**

**Town Council Meeting – November 28, 2023**

**Strategic Visioning Priority: 1. Acceleration of Infrastructure**

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**Agenda Item:**

Consider and act upon approving Change Order No. 02 for CSP No. 2022-50-B to McMahon Contracting, LP, related to construction services for the Fishtrap (Teel - Gee Road) & Gee Road (Fishtrap - Windsong Retail) project; and authorizing the Town Manager to execute Change Order No. 02 for same.

**Description of Agenda Item:**

Town Council authorized a construction contract with McMahon Contracting, LP, at the August 23, 2022, Town Council meeting for the Fishtrap (Teel - Gee Road) & Gee Road (Fishtrap - Windsong Retail) project in the amount of \$10,194,579.20. The project consists of all work needed for the construction of the remaining lanes of Fishtrap Road from Gee Road to Teel Parkway and two of the ultimate three northbound lanes of Gee Road from Fishtrap Road to Windsong Retail.

On September 22, 2022, Change Order No. 01 was approved to update the quantities for several items from estimated to actual constructed quantities, which resulted in a net savings of \$95,320.12. The cost saving was accounted for in a new line item titled "Owner's Contingency" that can be used towards future change orders. It added 168 calendar days to the contract time.

Change Order No. 02 accounts for the additional concrete pavement, excavation, flex base with geogrid, signage, striping, mow strip, traffic control, and replacement of guardrail to construct a third lane along existing Fishtrap Road (future Gee Road) from First Street to Denton Way. The third lane will connect to the existing bridges over Doe Branch Creek that serves as the future third southbound lane. Until such time as the ultimate northbound lanes and bridges are constructed, the third lane being constructed will be used as an interim second northbound lane to help alleviate traffic congestion in the area. An additional 45 calendar days are being added to the contract time to construct these improvements.

**Budget Impact:**

The cost for Change Order No. 02 is \$342,929.62, and there is \$350,000, in FY2023 Capital Dedicated Funds approved for this additional work in Account No. 750-6610-10-00-2011-ST.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard change order document as to form and legality.

**Attached Documents:**

1. Change Order No. 02
2. Location Map

**Town Staff Recommendation:**

Town staff recommends that the Town Council approve Change Order No. 02 for CSP No. 2022-50-B to McMahon Contracting, LP, related to construction services for the Fishtrap (Teel - Gee Road) & Gee Road (Fishtrap - Windsong Retail) project; and authorizing the Town Manager to execute Change Order No. 02 for same.

**Proposed Motion:**

I move to approve Change Order No. 02 for CSP No. 2022-50-B to McMahon Contracting, LP, related to construction services for the Fishtrap (Teel - Gee Road) & Gee Road (Fishtrap - Windsong Retail) project; and authorize the Town Manager to execute Change Order No. 02 for same.