

**AMENDMENT NO. 1  
TO THE  
PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES  
AGREEMENT  
BETWEEN  
THE TEXAS FACILITIES COMMISSION  
AND  
ATKINS NORTH AMERICA, INC.**

**This Amendment No. 1** to the Professional Architectural/Engineering Services Agreement (hereinafter referred to as “Amendment No. 1”) is entered into by and between the Texas Facilities Commission (hereinafter referred to as “TFC”), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701, as Owner (as defined in UGC, Section 1.28), and Atkins North America, Inc. (hereinafter referred to as “A/E”), located at 11801 Domain Boulevard, Suite 500, Austin, Texas 78758 (hereinafter referred to collectively as the “parties”), to amend the original Professional Services Agreement between the Parties, as amended.

**RECITALS**

WHEREAS, on September 21, 2017, the parties entered into that one certain *Professional Services Agreement Architectural/Engineering Services Agreement Between the Texas Facilities Commission and Atkins North America, Inc.* (hereinafter referred to as the “Agreement”); and

WHEREAS, changed circumstances require mutually desirable alterations in the scope and fees of the Agreement; and

WHEREAS, the parties desire to amend certain terms to their mutual benefit to reflect the changed circumstances;

NOW THEREFORE, the Parties hereby agree as follows:

1. The parties hereby agree to modify ARTICLE II – SCOPE OF SERVICES, SECTION 2.1 – SCOPE OF SERVICES – subsection 2.1.6 – CONSTRUCTION PHASE-GENERAL ADMINISTRATION OF CONSTRUCTION CONTRACT, by reflecting Additional Services to be provided. Services shall include but are not limited to the following: (i) engineering services; (ii) testing; (iii) calibration and; (iv) building automation control systems modifications to supply and exhaust VAV’s supporting twenty-six (26) Biological Safety Cabinets (hereinafter referred to as “BSC”) in fourteen (14) laboratories in the Dr. Bob Glaze Laboratory Building (hereinafter referred to as “DBGL”) to ensure no reverse flow conditions occur in each BSC and lab rooms. Work to be performed under this Amendment No. 1 is to be completed within two months from issuance of a Notice to Proceed and coordinated with DBGL management as further described in “Exhibit A-1,” A/E’s proposal dated March 26, 2018, attached hereto and by this reference incorporated herein for all purposes.

2. The parties hereby agree to modify ARTICLE IV – CONSIDERATION, SECTION 4.1 – FIXED FEE, by reflecting additional compensation to the A/E for the Additional Services to be provided under this Amendment No. 1 in the amount of Fifty-Three Thousand Five Hundred Nineteen and No/100 Dollars (\$53,519.00), thus increasing the total not to exceed amount of the Agreement from One Million One Hundred Sixteen Thousand Nine Hundred Eighty and No/100 Dollars (\$1,116,980.00), to a total not to exceed amount of One Million One Hundred Seventy Thousand Four Hundred Ninety-Nine and No/100 Dollars (\$1,170,499.00). Any Professional Services performed or delivered by A/E prior to the Effective Date of this Amendment No. 1 or after its termination cannot be compensated.

3. Unless clearly provided otherwise herein, all terms and phrases in initial caps herein shall have the same meaning as the terms and phrases with initials caps in the Agreement, as amended, as applicable.

4. All other terms and conditions of the Agreement not otherwise specifically amended hereby shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Amendment No. 1 to this Agreement to be effective as of the date of the last party to sign.

**TEXAS FACILITIES COMMISSION**

**ATKINS NORTH AMERICA, INC.**

By: JSBH

By: James Lowe

John S. Raff

Print Name: JAMES LOWE

Acting Executive Director

Print Title: DIVISION MANAGER

Date of execution: 5-14-18

Date of execution: 5/10/18

G.C. NRG

Dir. MW

D.E.D. M

TFC Contract No. 18-106-000  
Atkins North America, Inc.  
Amendment No. 1  
Project Nos. 16-011-5550 & 16-037-6086

**Exhibit A-1**

**A/E's Proposal dated March 26, 2018**



Atkins North America, Inc.  
11801 Domain Boulevard, Suite 450 and 500  
Austin, Texas 78758

Telephone: +1.512.327.6840  
Fax: +1 512.327 2453

[www.atkinsglobal.com/northamerica](http://www.atkinsglobal.com/northamerica)

March 26, 2018

Kevin Sandberg  
1711 San Jacinto  
Austin, Texas 78701

Re: TFC Project: 16-037-6086  
Deferred Maintenance Projects in 10 HHSC Buildings Phase 2  
Add Service 1 Fee Proposal (Revised 4-04-2018)

Mr. Sandberg,

Atkins is currently providing prime professional services for production of design and construction documents, procurement assistance, and construction administration at five HHSC buildings in Austin, Texas. At the Dr. Bob Glaze Laboratory Building (DBGL), our Task C Acid Waste Neutralization System Replacement project is underway, concurrent with a separate TFC project that will replace all the Biological Safety Cabinets (BSCs) in the building.

As the scope of the BSC replacement project was limited to physical installation only, TFC requested that Atkins provide additional engineering support and calibration for the (26) BSCs, measurement and verification of airflows, and related modifications to the Building Automation System (BAS). The work will be performed by our sub-consultant H2MG. A breakout is provided for your consideration that assigns the proposed additional compensation to the current contract billing setup.

#### SCOPE ADDITIONS

Refer to the attached proposal from consultant H2MG LLC for full description of the engineering services to be provided.

#### SCHEDULE

The additional deliverables will be provided concurrent with the ongoing project schedule.

#### COMPENSATION

We propose to provide this work as an amendment to our contract for \$ 53,519.00

We hope that you find our proposal acceptable. We look forward to continuing this project and our successful relationship.

Sincerely,

A handwritten signature in red ink that reads "Dale Austin".

Dale Austin, AIA, CDT  
Group Manager

512 372 1243

Encl: Proposal Cost Breakdown  
H2MG proposal dated March 20, 2018

Copy: Steve Moller

# ATKINS

## Atkins North America

### Cost Proposal - By Task

Ten HHSC Office Buildings  
Texas Facilities Commission  
18-106-0000 Mod. 1

Submittal Date: Mar-28-2018

Task ID	Description	Price
01000	Internal Project Administration	31,574.20
02000	Pay Applications & Closeout	72,812.00
03000	A600 Production	28,151.58
04000	BHB Production	401,429.28
05000	DHB Production	24,089.28
06000	DHH Production	28,699.28
07000	DRDC Production	153,780.28
08000	DBGL Production	67,692.00
09000	Construction Administration	308,751.72
10000	Modification No. 1	53,518.36
	<b>Total Extended Price</b>	<b>\$1,170,497.98</b>

# ATKINS

## Atkins North America

### Cost Proposal - By Task and Cost Type

Ten HHSC Office Buildings

Texas Facilities Commission

18-106-0000 Mod. 1

Submittal Date: Mar-28-2018

Task#	Description	Labor	Subcontract & Consultants	Equipment	Travel	ODCs	Award/Fixed Fee	Total Price
01000	Internal Project Administration	31,558.00	-	-	-	16.20	-	31,574.20
02000	Pay Applications & Closeout	72,458.00	-	-	-	354.00	-	72,812.00
03000	A600 Production	12,916.00	14,480.00	-	-	755.58	-	28,151.58
04000	BHB Production	27,344.00	372,056.00	-	-	2,029.28	-	401,429.28
05000	DHB Production	21,148.00	2,000.00	-	-	941.28	-	24,089.28
06000	DHH Production	22,156.00	5,154.00	-	-	1,389.28	-	28,699.28
07000	DROC Production	24,656.00	127,543.00	-	-	1,581.28	-	153,780.28
08000	DBGL Production	5,040.00	61,600.00	-	-	1,052.00	-	67,692.00
09000	Construction Administration	152,544.00	155,373.00	-	-	834.72	-	308,751.72
10000	Modification No. 1	4,963.36	48,510.00	-	-	45.00	-	53,518.36
<b>Total</b>		<b>374,783.36</b>	<b>786,716.00</b>	-	-	<b>8,998.62</b>	-	<b>1,170,497.98</b>
<b>Total Extended Price</b>								<b>1,170,497.98</b>

# ATKINS

## Atkins North America

### Cost Proposal - Detail

Ten HHSC Office Buildings

Texas Facilities Commission

18 106-0000 Mod. 1

Submittal Date: **Mar-28-2018**

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
<b>01000</b>	<b>Internal Project Administration</b>						
	<b>Labor</b>						
		Sr Architect IV	Home	205.00	Hr	106.0	21,730.00
		Sr Architect III	Home	168.00	Hr	54.0	9,072.00
		Sr Architect III	Home	168.00	Hr	1.0	168.00
		Architect I	Home	84.00	Hr	7.0	588.00
	<b>Labor Total</b>					<b>168</b>	<b>31,558.00</b>
	<b>ODCs</b>						
		Mileage		0.5	-	30.0	16.20
							16.20
	<b>Subcontract and Expenses Total</b>						<b>16.20</b>
<b>01000</b>	<b>Internal Project Administration Total</b>						<b>31,574.20</b>
<b>02000</b>	<b>Pay Applications &amp; Closeout</b>						
	<b>Labor</b>						
		Sr Architect IV	Home	205.00	Hr	74.0	15,170.00
		Sr Architect III	Home	168.00	Hr	148.0	24,864.00
		Sr Architect III	Home	168.00	Hr	142.0	23,856.00
		Architect I	Home	84.00	Hr	102.0	8,568.00
	<b>Labor Total</b>					<b>466</b>	<b>72,458.00</b>
	<b>ODCs</b>						
		Mileage		0.5	-	632.0	341.28
		Parking		6.4	-	2.0	12.72
	<b>Subcontract and Expenses Total</b>						<b>354.00</b>
<b>02000</b>	<b>Pay Applications &amp; Closeout Total</b>						<b>72,812.00</b>
<b>03000</b>	<b>A600 Production</b>						
	<b>Labor</b>						

# ATKINS

## Atkins North America

### Cost Proposal - Detail

Ten HHSC Office Buildings  
Texas Facilities Commission

18 106-0000 Mod. 1

Submittal Date: Mar-28-2018

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
		Sr Architect IV	Home	205.00	Hr	4.0	820.00
		Sr Architect III	Home	168.00	Hr	4.0	672.00
		Sr Architect III	Home	168.00	Hr	48.0	8,064.00
		Architect I	Home	84.00	Hr	40.0	3,360.00
	<b>Labor Total</b>					<b>96</b>	<b>12,916.00</b>
	<b>ODCs</b>						<b>755.58</b>
		Mileage		0.5	-	27.0	14.58
		Copies & Prints		16.0	-	21.0	336.00
		Copies & Prints		45.0	-	9.0	405.00
	<b>Subcontract &amp; Consultants</b>						<b>14,480.00</b>
		H2MG		1.0	-	2,000.0	2,000.00
		Hollon + Cannon		1.0	-	12,480.0	12,480.00
	<b>Subcontract and Expenses Total</b>						<b>15,235.58</b>
<b>03000</b>	<b>A600 Production Total</b>						<b>28,151.58</b>
<b>04000</b>	<b>BHB Production</b>						
	<b>Labor</b>						
		Sr Architect IV	Home	205.00	Hr	8.0	1,640.00
		Sr Architect III	Home	168.00	Hr	8.0	1,344.00
		Sr Architect III	Home	168.00	Hr	86.0	14,448.00
		Architect I	Home	84.00	Hr	118.0	9,912.00
	<b>Labor Total</b>					<b>220</b>	<b>27,344.00</b>
	<b>ODCs</b>						<b>2,029.28</b>
		Mileage		0.5	-	32.0	17.28
		Copies & Prints		16.0	-	92.0	1,472.00
		Copies & Prints		45.0	-	12.0	540.00
	<b>Subcontract &amp; Consultants</b>						<b>366,856.00</b>

# ATKINS

## Atkins North America

### Cost Proposal - Detail

Ten HHSC Office Buildings  
Texas Facilities Commission  
18 106-0000 Mod. 1

Submittal Date: Mar-28-2018

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
		H2MG		1.0	-	351,270.0	351,270.00
		Hollon + Cannon		1.0	-	5,200.0	5,200.00
		Jensen Hughes		1.0	-	10,386.0	10,386.00
	<b>Subcontract &amp; Consultants</b>					<b>5,200.0</b>	<b>5,200.00</b>
		Jaster Quintanilla		1.0	-	5,200.0	5,200.00
	<b>Subcontract and Expenses Total</b>						<b>374,085.28</b>

<b>04000</b>	<b>BHB Production Total</b>	<b>401,429.28</b>
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<b>05000</b>	<b>DHB Production</b>	
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**Labor**

	Sr Architect IV	Home	205.00	Hr	4.0	820.00
	Sr Architect III	Home	168.00	Hr	4.0	672.00
	Sr Architect III	Home	168.00	Hr	72.0	12,096.00
	Architect I	Home	84.00	Hr	90.0	7,560.00
<b>Labor Total</b>						<b>21,148.00</b>

**ODCs**

	Mileage		0.5		32.0	17.28
	Copies & Prints		16.0		24.0	384.00
	Copies & Prints		45.0		12.0	540.00

**Subcontract & Consultants**

	H2MG		1.0		2,000.0	2,000.00
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<b>Subcontract and Expenses Total</b>						<b>2,941.28</b>
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<b>05000</b>	<b>DHB Production Total</b>	<b>24,089.28</b>
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<b>06000</b>	<b>DHH Production</b>	
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**Labor**

	Sr Architect IV	Home	205.00	Hr	4.0	820.00
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# ATKINS

## Atkins North America

### Cost Proposal - Detail

Ten HHSC Office Buildings  
Texas Facilities Commission

18 106 0000 Mod. 1

Submittal Date: Mar-28-2018

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
		Sr Architect III	Home	168.00	Hr	4.0	672.00
		Sr Architect III	Home	168.00	Hr	74.0	12,432.00
		Architect I	Home	84.00	Hr	98.0	8,232.00
	<b>Labor Total</b>					<b>180</b>	<b>22,156.00</b>
	<b>ODCs</b>						<b>1,389.28</b>
		Mileage		0.5	-	32.0	17.28
		Copies & Prints		16.0	-	52.0	832.00
		Copies & Prints		45.0	-	12.0	540.00
	<b>Subcontract &amp; Consultants</b>						<b>5,154.00</b>
		H2MG		1.0	-	4,000.0	4,000.00
		Jensen Hughes		1.0	-	1,154.0	1,154.00
	<b>Subcontract and Expenses Total</b>						<b>6,543.28</b>
<b>06000</b>	<b>DHH Production Total</b>						<b>28,699.28</b>
<b>07000</b>	<b>DROC Production</b>						
	<b>Labor</b>						
		Sr Architect IV	Home	205.00	Hr	8.0	1,640.00
		Sr Architect III	Home	168.00	Hr	8.0	1,344.00
		Sr Architect III	Home	168.00	Hr	74.0	12,432.00
		Architect I	Home	84.00	Hr	110.0	9,240.00
	<b>Labor Total</b>					<b>200</b>	<b>24,656.00</b>
	<b>ODCs</b>					<b>108.0</b>	<b>1,581.28</b>
		Mileage		0.5	-	32.0	17.28
		Copies & Prints		16.0	-	64.0	1,024.00
		Copies & Prints		45.0	-	12.0	540.00
	<b>Subcontract &amp; Consultants</b>					<b>121,543.0</b>	<b>121,543.00</b>
		H2MG		1.0	-	118,423.0	118,423.00

# ATKINS

## Atkins North America

### Cost Proposal - Detail

Ten HHSC Office Buildings  
Texas Facilities Commission  
18 106 0000 Mod. 1

Submittal Date: **Mar-28-2018**

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
		Hollon + Cannon		1.0	-	3,120.0	3,120.00
	<b>Subcontract &amp; Consultants</b>					<b>6,000.0</b>	<b>6,000.00</b>
		Jaster Quintanilla		1.0	-	6,000.0	6,000.00
	<b>Subcontract and Expenses Total</b>						<b>129,124.28</b>
<b>07000</b>	<b>DROC Production Total!</b>						<b>153,780.28</b>
<b>08000</b>	<b>DBGL Production</b>						
	<b>Labor</b>						
		Sr Architect III	Home	168.00	Hr	10.0	1,680.00
		Architect I	Home	84.00	Hr	40.0	3,360.00
	<b>Labor Total</b>					<b>50</b>	<b>5,040.00</b>
	<b>ODCs</b>						<b>1,052.00</b>
		Copies & Prints		16.0	-	32.0	512.00
		Copies & Prints		45.0	-	12.0	540.00
	<b>Subcontract &amp; Consultants</b>						<b>61,600.00</b>
		WSP		1.0	-	61,600.0	61,600.00
	<b>Subcontract and Expenses Total</b>						<b>62,652.00</b>
<b>08000</b>	<b>DBGL Production Total</b>						<b>67,692.00</b>
<b>09000</b>	<b>Construction Administration</b>						
	<b>Labor</b>						
		Sr Architect III	Home	168.00	Hr	708.0	118,944.00
		Architect I	Home	84.00	Hr	400.0	33,600.00
	<b>Labor Total</b>					<b>1,108</b>	<b>152,544.00</b>
	<b>ODCs</b>						<b>834.72</b>

# ATKINS

## Atkins North America

### Cost Proposal - Detail

Ten HHSC Office Buildings  
Texas Facilities Commission

18 106 0000 Mod. 1

Submittal Date: Mar-28-2018

Task#	Resource Category	Description	O/H Pool	Rate	Unit	Qty	Extended Price
		Mileage		0.5	-	1,216.0	656.64
		Parking		6.4	-	28.0	178.08
		<b>Subcontract &amp; Consultants</b>					<b>150,573.00</b>
		H2MG		1.0	-	119,423.0	119,423.00
		Hollon + Cannon		1.0	-	5,200.0	5,200.00
		Jensen Hughes		1.0	-	7,450.0	7,450.00
		WSP		1.0	-	18,500.0	18,500.00
		<b>Subcontract &amp; Consultants</b>				<b>4,800.0</b>	<b>4,800.00</b>
		Jaster Quintanilla		1.0	-	4,800.0	4,800.00
		<b>Subcontract and Expenses Total</b>					<b>156,207.72</b>
<b>09000</b>	<b>Construction Administration Total</b>						<b>308,751.72</b>
<b>10000</b>	<b>Modification No. 1</b>						
	<b>Labor</b>						
		Sr Architect III	Home	168.00	Hr	18.0	3,024.00
		Project Director	Home	217.48	Hr	4.0	869.92
		Sr Project Assistant	Home	89.12	Hr	12.0	1,069.44
	<b>Labor Total</b>					<b>34</b>	<b>4,963.36</b>
	<b>ODCs</b>						<b>45.00</b>
		Copies & Prints		45.0	-	1.0	45.00
	<b>Subcontract &amp; Consultants</b>					<b>46,200.0</b>	<b>48,510.00</b>
		H2MG (Mod. 1)		1.1	-	46,200.0	48,510.00
	<b>Subcontract and Expenses Total</b>						<b>48,555.00</b>
<b>10000</b>	<b>Modification No. 1 Total</b>						<b>53,518.36</b>
	<b>Total Extended Price</b>						<b>1,170,497.98</b>