

AMENDMENT NO. 1

**TO THE PROFESSIONAL SERVICES AGREEMENT
SITE ENVIRONMENTAL/ENGINEERING SERVICES FOR
CAPITOL COMPLEX AND NORTH AUSTIN COMPLEX PROJECTS
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
COBB FENDLEY & ASSOCIATES, INC.**

This Amendment No. 1 to the Professional Services Agreement for Site Environmental/Engineering Services (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 Cobb Fendley & Associates Inc. (hereinafter referred to as “SSE”), with its principal place of business located at 505 East Huntland Drive, Suite 100, Austin, Texas 78752 (hereinafter referred to collectively as the “parties”), to amend the original Professional Services Agreement between the Parties.

RECITALS

WHEREAS, on June 1, 2016, the parties entered into that one certain *Professional Services Agreement for Site Environmental/Engineering Services for Capitol Complex and North Austin Complex Projects Between the Texas Facilities Commission and Cobb Fendley & Associates, Inc.* (hereinafter referred to as the “Agreement”); and

WHEREAS, the parties desire to amend the Agreement to provide for Additional Services and Fees as more particularly described below;

NOW THEREFORE, the Parties hereby agree as follows:

1. Unless clearly provided otherwise herein, all terms and phrases in initial caps herein shall have the same meaning as the terms and phrases with initial caps in the Agreement.
2. The parties agree to modify ARTICLE II – DESCRIPTION OF PROJECTS AND SCOPE OF SERVICES by adding Section 2.2.8, which shall read in its entirety as follows:

“Street Vacation Process – Amendment No. 1. SSE agrees to provide the Professional Services described below and more particularly set forth in “Exhibit A-1,” SSE’s Proposal dated October 12, 2016, attached hereto and incorporated herein for all purposes.

2.2.8.1. Initiate conversations with the City of Austin in regard to vacation of Congress Avenue.

2.2.8.2. Initiate the street vacation process for Congress Avenue, from Martin

Luther King Boulevard south to 16th Street.

2.2.8.3. Initiate a memorandum of understanding process with the City of Austin.

2.2.8.4. Begin permitting submittals for an Encroachment Agreement and Street Vacation.

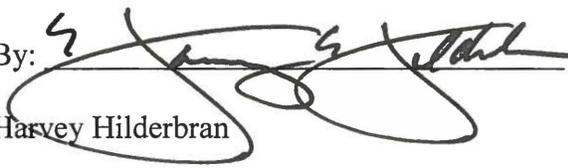
2.2.8.5. Take steps to initiate the Austin Utility Location Coordinating Committee process.”

3. The parties agree to modify ARTICLE IV – CONSIDERATION; PAYMENT CONDITIONS, SECTION 4.1 – CONTRACT LIMIT – FEES AND EXPENSES, SUBSECTION 4.1.1 – FIXED FEE, by reflecting additional compensation to the SSE for services provided under this Amendment No. 1 in the amount of Thirty Six Thousand and No/100 Dollars (\$36,000.00), thus increasing the total amount from Six Hundred Nine Thousand Two Hundred Fifty Two and No/100 Dollars (\$609,252.00), to a total not to exceed amount of Six Hundred Forty Five Thousand Two Hundred Fifty Two and No/100 Dollars (\$645,252.00).

4. All other terms and conditions of the Agreement not expressly amended herein shall remain in full force and effect.

TEXAS FACILITIES COMMISSION

COBB FENDLEY & ASSOCIATES, INC.

By: 

Harvey Hilderbran

Executive Director

By: 

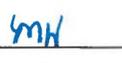
Dan Warth, P.E.

Regional Manager, Central Texas

Date of execution: 10-25-16

Date of execution: 10.24.16

G.C. 

Dir. 

D.E.D. 

TFC CONTRACT NO. 16-101-000

AMENDMENT NO. 1

SSE'S PROPOSAL DATE OCTOBER 12, 2016

October 12, 2016

Janie Gribble, AIA, LEED AP
Sr. Project Manager
Texas Facilities Commission - Facilities Design & Construction
1711 San Jacinto
Austin, Texas 78711

RE: **Texas Facilities Commission - Capitol Complex - Part 1 Services Amendment**
Proposal for Street Vacation Services
Contract No.: 16-101-000
Project No.: 16-015-8000

Dear Ms. Gribble:

Cobb, Fendley & Associates, Inc. ("CobbFendley"), as the prime consultant of the Site Services Engineer Contract (SSE) Team, is pleased to submit this amendment to our Part 1 services contract. This amendment is for street vacation and permit support services including a Memorandum of Understanding (MOU) with the City of Austin, and documentation and agreements from private property owners on Congress.

We will initiate the following activities under this amendment:

1. Surveying
Mapping for the street vacation

2. Street Vacation
 - Permit Consulting
 - Encroachment Agreement
 - Street Vacation

Our team will complete these activities as a part of the Part 3 services contract.

To ensure a rapid implementation of this effort, we will initiate the following steps within 5 days of notice to proceed:

1. Initiate the MOU process.
2. Begin the permitting submittals for the following:
 - Encroachment Agreement

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- Street Vocation
- 3. Take steps to initiate the AULCC process
- 4. Initiate conversations with the City of Austin

We can initiate these efforts for \$36,000.

We look forward to implementing these important project support activities for the TFC.

Sincerely,
COBB, FENDLEY & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "D. Warth".

Dan Warth, P.E.
Project Manager
Regional Manager/Vice President