

**AMENDMENT NO. 6
TO THE
CONTRACT FOR
ELEVATOR MAINTENANCE SERVICES
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
EMR ELEVATOR, INC.**

THIS AMENDMENT NO. 6 is entered into by and between the Texas Facilities Commission (hereinafter referred to as "TFC"), a state agency located at 1711 San Jacinto Blvd., Austin, Texas 78701 and EMR Elevator, Inc. (hereinafter referred to as "Contractor"), located at 2320 Michigan Court, Arlington, Texas 76016, to amend the original Contract between the parties (hereinafter referred to as the "Contract").

WHEREAS, the parties agree to remove elevator maintenance services, along with the associated monthly fees, for four (4) elevators in the William P. Clements Building and two (2) elevators in the Brown Heatly Building for a total reduction in fees in the amount of Eight Thousand Seven Hundred Ninety and No/ 100 Dollars (\$8,790.00); and

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

NOW, THEREFORE, the parties agree to amend the Contract as follows:

1. The parties hereby agree to modify ARTICLE I – STATEMENT OF WORK, SECTION 1.1 – SERVICE REQUIREMENTS by replacing Exhibit A-2 – Building List and Compensation & Fees with Exhibit A-3 – Building List and Compensation & Fees, attached hereto and incorporated herein for all purposes, to document the removal of elevator maintenance services, along with the associated monthly fees, for Elevator Nos. 3, 4, 7 and 8 in the William P. Clements Building and Elevator Nos. 1 and 2 in the Brown Heatly Building from this Contract.

2. In addition, the parties agree to have the removal of elevators be effective as of June 1, 2017 through August 31, 2017.

3. Furthermore, the parties agree to modify ARTICLE III – CONSIDERATION, SECTION 3.1 – CONTRACT LIMIT AND FEES AND EXPENSES by deleting the Subsection (a) in its entirety and replacing it with the following:

"The total amount of this Contract shall not exceed the sum of One Million Four Hundred Eighty Thousand Six Hundred Ten and No/ 100 Dollars (\$1,480,610.00). This amount includes the Fiscal Year 2016 – 2017 Contract base fee of One Million Two Hundred Ninety Thousand Six Hundred Ten and No/100 Dollars (\$1,290,610.00) and One Hundred Ninety Thousand and No/100 Dollars (\$190,000.00) to cover any Additional Services, as defined in Section 3.3 below. Pricing fees shall be invoiced in accordance with Exhibit A-3 – Building List and Compensation & Fees. Any changes to the not-to-exceed amount of this Contract or pricing fees set forth in Exhibit A-3 – Building List and Compensation & Fees, shall be submitted to TFC for review and shall be approved by amendment to this Contract.

Except as expressly amended above, all provisions of the Contract remain in full force and effect.

In Witness Whereof, the parties hereto have made and executed this Amendment No. 6 to this Contract to be effective as of June 1, 2017.

TEXAS FACILITIES COMMISSION



Harvey Hilderbran

Executive Director

Date of execution: 7-11-17

EMR ELEVATOR, INC.



Printed Name: HOPE L. EVANS

Title: PRESIDENT

Date of execution: 7/5/17

G.C. NRS

Dir. PKGM

D.E.D. PKGM

EXHIBIT A-3

TFC CONTRACT NO. 16-060-000

BUILDING LIST AND COMPENSATION & FEES

EXHIBIT A-3

TFC CONTRACT NO. 16-060-000

BUILDING LIST AND COMPENSATION & FEES

EXHIBIT A-3

BUILDING LIST AND COMPENSATION & FEES

GROUP #1 - CAPITOL COMPLEX ELEVATORS

	<u>Cost Per Month</u>
<u>William P. Hobby Building</u>	
<u>Building #1 (7 Units)</u>	
Dover Passenger #1 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #2 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #3 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #4 VVVF - T4	\$ <u>450.00</u>
Otis Hydraulic Passenger #5	\$ <u>275.00</u>
Otis Hydraulic Passenger #6	\$ <u>275.00</u>
Otis Hydraulic Passenger #7	\$ <u>275.00</u>
<u>Building #2 (2 Units)</u>	
Dover Passenger #11 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #12 VVVF - T4	\$ <u>450.00</u>
<u>Building #3 (3 Units)</u>	
Dover Passenger #14 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #15 VVVF - T4	\$ <u>450.00</u>
TOTAL: William P. Hobby Building	\$ <u>4425.00</u>
<u>Parking Garage N</u>	
<u>(2 Units)</u>	
Dover Passenger VVVF (T4)	\$ <u>375.00</u>
Dover Passenger VVVF (T4)	\$ <u>375.00</u>
TOTAL: Garage N	\$ <u>750.00</u>
<u>Lyndon B. Johnson Building</u>	
<u>(7 Units)</u>	
THYSSEN TAC 50 Passenger #1	\$ <u>450.00</u>
THYSSEN TAC 50 Passenger #2	\$ <u>450.00</u>
THYSSEN TAC 50 Passenger #3	\$ <u>450.00</u>
THYSSEN TAC 50 Passenger #4	\$ <u>450.00</u>
THYSSEN TAC 50 Passenger #5	\$ <u>450.00</u>
THYSSEN TAC 50 Passenger #6	\$ <u>450.00</u>
THYSSEN Hydraulic (Treasury Wing)	\$ <u>300.00</u>
TOTAL: Lyndon B. Johnson Building	\$ <u>3000.00</u>

EXHIBIT A-3

Stephen F. Austin Building

(7 Units)

Schindler Miconic TXR5 Passenger #1	\$ 450.00
Schindler Miconic TXR5 Passenger #2	\$ 450.00
Schindler Miconic TXR5 Passenger #3	\$ 450.00
Schindler Miconic TXR5 Passenger #4	\$ 450.00
Schindler Miconic TXR5 Passenger #5	\$ 450.00
Schindler Miconic TXR5 Passenger #6	\$ 450.00
Schindler Miconic TXR5 Freight #7	\$ 450.00

TOTAL: Stephen F. Austin Building \$ 3150.00

William P. Clements Building

(11 Units)

High-rise, Floors 9 to 15:

Dover Computamatic Passenger #1	\$ 450.00
Dover Computamatic Passenger #2	\$ 450.00
(Getting MOD) Passenger #3	\$ 0.00
(Getting MOD) Passenger #4	\$ 0.00

Low-rise, Floors 1 to 8:

Dover Computamatic Passenger #5	\$ 450.00
Dover Computamatic Passenger #6	\$ 450.00
(Getting MOD) Passenger #7	\$ 0.00
(Getting MOD) Passenger #8	\$ 0.00

Basement to 15 floors:

Dover Composite Freight #9	\$ 450.00
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Parking Garage J:

Dover Computamatic Passenger #10	\$ 450.00
Dover Computamatic Passenger #11	\$ 450.00

TOTAL: William P. Clements Building \$ 3150.00

Ernest O. Thompson Building

(3 Units)

THYSSEN TAC 50 Passenger #1	\$ 450.00
THYSSEN TAC 50 Passenger #2	\$ 450.00
THYSSEN TAC 50 Passenger #3	\$ 450.00

TOTAL: Ernest O. Thompson Building \$ 1350.00

James Earl Rudder Building

(3 Units)

Dover Composite Passenger #1	\$ 450.00
Dover Composite Passenger #2	\$ 450.00
Dover Composite Freight #3	\$ 450.00

TOTAL: James Earl Rudder Building \$ 1350.00

EXHIBIT A-3

Parking Garage A

(2 Units)

Esco Hydraulic Passenger #1 \$ 300.00
Esco Hydraulic Passenger #2 \$ 300.00

TOTAL: Parking Garage A \$ 600.00

Parking Garage B

(2 Units)

Esco Hydraulic Passenger #1 \$ 300.00
Esco Hydraulic Passenger #2 \$ 300.00

TOTAL: Parking Garage B \$ 600.00

Parking Garage E

(2 Units)

Dover VVVF-T4 Passenger #1 \$ 450.00
Dover VVVF-T4 Passenger #2 \$ 450.00

TOTAL: Parking Garage E \$ 900.00

Parking Garage F

(2 Units)

Dover DMC Hydraulic Passenger #1 \$ 300.00
Dover DMC Hydraulic Passenger #2 \$ 300.00

TOTAL: Parking Garage F \$ 600.00

Parking Garage G

(1 Unit)

Dover DMC Hydraulic Passenger #1 \$ 300.00

TOTAL: Parking Garage G \$ 300.00

Parking Garage Q

(2 Units)

Dover VVVF-T4 Passenger #1 \$ 450.00
Dover VVVF-T4 Passenger #2 \$ 450.00

TOTAL: Parking Garage Q \$ 900.00

Parking Garage R

(4 Units)

Dover VVVF-T4 Passenger #1 \$ 450.00
Dover VVVF-T4 Passenger #1 \$ 450.00
Dover VVVF-T4 Passenger #1 \$ 450.00
Dover VVVF-T4 Passenger #1 \$ 450.00

TOTAL: Parking Garage R \$ 1800.00

EXHIBIT A-3

Central Services Building

(4 Units)

Dover Solid State Hydraulic Passenger #1	\$ 300.00
Dover Solid State Hydraulic Passenger #2	\$ 300.00
Westinghouse Hydraulic #3	\$ 300.00
Porch Lift Screw	\$ 200.00

TOTAL: Central Services Building \$ 1100.00

Central Services Annex

(1 Unit)

Dover DMC Hydraulic Passenger #1	\$ 300.00
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TOTAL: Central Service Annex \$ 300.00

Parking Garage P

(3 units)

Dover DMC 1 - Hydraulic #1	\$ 300.00
Dover DMC 1 - Hydraulic #2	\$ 300.00
Dover DMC 1 - Hydraulic #3	\$ 300.00

TOTAL: Parking Garage P \$ 900.00

Promontory Point

(1 units)

Dover DMC 1 - Hydraulic #1	\$ 300.00
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TOTAL: Promontory Point \$ 300.00

Thomas J. Rusk Building

(4 units)

MCE 4000 Passenger 1	\$ 450.00
MCE 4000 Passenger 2	\$ 450.00
MCE 4000 Passenger 3	\$ 450.00
MCE 4000 Passenger 4	\$ 450.00

TOTAL: Thomas J. Rusk Building \$ 1800.00

William B. Travis Building

(9 units)

MCE I-DC-01 Passenger 1	\$ 450.00
MCE I-DC-01 Passenger 2	\$ 450.00
MCE I-DC-01 Passenger 3	\$ 450.00
MCE I-DC-01 Passenger 4	\$ 450.00
MCE I-DC-01 Passenger 5	\$ 450.00
MCE I-DC-01 Passenger 6	\$ 450.00
MCE I-DC-01 Passenger 7	\$ 450.00
MCE I-DC-01 Passenger 8	\$ 450.00
MCE I-DC-01 Freight 9	\$ 450.00

TOTAL: William B. Travis Building \$ 4050.00

EXHIBIT A-3

Courts Complex (Supreme Court Building, Tom C. Clark Building & Price Daniel Building)

(12 units)

Dover Hydraulic DMC #1	\$ 300.00
Dover Hydraulic DMC #2	\$ 300.00
Dover Passenger T-3 #3	\$ 375.00
Dover Passenger T-3 #4	\$ 375.00
Dover Passenger T-3 #5	\$ 375.00
Dover Hydraulic LMH #6	\$ 300.00
Dover Hydraulic LMH #7	\$ 300.00
Dover Passenger T-3 #8	\$ 375.00
Dover Passenger T-3 #9	\$ 375.00
Dover Passenger T-3 #10	\$ 375.00
Dover Passenger T-3 #11	\$ 375.00
Dover Relay Logic Passenger #12	\$ 350.00

TOTAL: Courts Complex \$ 4175.00

Lorenzo de Zavala Archives and Library Building

(2 Units)

KONE Passenger #1 (Main Lobby)	\$ 375.00
KONE Passenger #2 (Stacks)	\$ 375.00

TOTAL: Lorenzo de Zavala Archives and Library Building \$ 750.00

John H. Reagan Building

(4 Units)

KONE Miprom Passenger #1	\$ 450.00
KONE Miprom Passenger #2	\$ 450.00
KONE Miprom Passenger #3	\$ 450.00
KONE Miprom Freight #4	\$ 450.00

TOTAL: John H. Reagan Building \$ 1800.00

Sam Houston Building

(4 Units)

Dover Passenger T-4 VVVF #1	\$ 450.00
Dover Passenger T-4 VVVF #2	\$ 450.00
Dover Passenger T-4 VVVF #3	\$ 450.00
Dover Passenger T-4 VVVF #4	\$ 450.00

TOTAL: Sam Houston Building \$ 1800.00

Insurance Building

(2 Units)

Motion M4000 Passenger #1	\$ 450.00
Motion M4000 Passenger #2	\$ 450.00

TOTAL: Insurance Building \$ 900.00

EXHIBIT A-3

Insurance Annex Building

(2 units)

MCE 4000 Passenger 1	\$ <u>450.00</u>
MCE 4000 Passenger 2	\$ <u>450.00</u>

TOTAL: Insurance Annex Building \$ 900.00

Robert E. Johnson Building

(7 Units)

Dover Passenger #1 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #2 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #3 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #4 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #5 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #6 VVVF - T4	\$ <u>450.00</u>
Dover Passenger #7 VVVF - T4	\$ <u>450.00</u>

TOTAL: Robert E. Johnson Building \$ 3150.00

HOURLY LABOR RATE and MATERIALS

The following prices are for services that are not included in the normal preventative maintenance of elevators but would be incurred as a result of unusual circumstances requiring additional parts, components, materials, and labor.

Labor:

Straight time* hourly rate per qualified elevator maintenance mechanic: \$ 135.00

Straight time* hourly rate per elevator maintenance helper: \$ 105.00

Overtime** hourly rate per qualified elevator maintenance mechanic: \$ 203.00

Overtime** hourly rate per elevator maintenance helper: \$ 158.00

Materials:

Material Markup: Contractor shall invoice at MSRP/List*** minus 0 percent

Materials purchased at local retail outlets by Contractor field staff. Contractor shall invoice at cost (sales receipt/invoiced price).

Payment and Performance Bonds (if required): Contractor shall invoice at cost (sales receipt/invoiced price).

*Straight time is defined as 7:00 AM – 6:00 PM Monday through Friday.

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EXHIBIT A-3

GROUP #2 – NORTH AUSTIN COMPLEX ELEVATORS

	<u>Cost Per Month</u>
John H. Winters Human Services Complex	
(8 units)	
MCE 4000 Passenger 1	\$ <u>450.00</u>
MCE 4000 Passenger 2	\$ <u>450.00</u>
MCE 4000 Passenger 3	\$ <u>450.00</u>
MCE 4000 Passenger 4	\$ <u>450.00</u>
MCE 4000 Freight 5	\$ <u>450.00</u>
MCE 4000 Passenger 6	\$ <u>450.00</u>
MCE 4000 Passenger 7	\$ <u>450.00</u>
MCE 4000 Passenger 8	\$ <u>450.00</u>
Montgomery Hydraulic Passenger 9 (KONE)	\$ <u>300.00</u>
Montgomery Hydraulic Passenger 10 (KONE)	\$ <u>300.00</u>
TOTAL: John H. Winters Building	\$ <u>4200.00</u>
<u>DARS-Administration Building</u>	
(1 Unit)	
Dover Solid State Passenger	\$ <u>300.00</u>
TOTAL: DARS – Administration Building	\$ <u>300.00</u>
<u>Brown-Heatly Office Complex</u>	
(5 Units)	
(Getting MOD) Passenger #1	\$ <u>0.00</u>
(Getting MOD) Passenger #2	\$ <u>0.00</u>
Dover Computamatic Passenger #3	\$ <u>565.00</u>
Dover Computamatic Passenger #4	\$ <u>565.00</u>
Dover Computamatic Service #5	\$ <u>565.00</u>
<u>Parking Garage H</u>	
(4 Units)	
Dover Relay Logic Passenger #6	\$ <u>445.00</u>
Dover Relay Logic Passenger #7	\$ <u>445.00</u>
Dover DMC Hydraulic Passenger #8	\$ <u>445.00</u>
Dover DMC Hydraulic Passenger #9	\$ <u>445.00</u>
TOTAL: Brown-Heatly Office Complex	\$ <u>3475.00</u>
<u>Human Services Warehouse Facility</u>	
(1 Unit)	
Dover Relay Logic Passenger	\$ <u>425.00</u>
TOTAL: Human Services Warehouse Facility	\$ <u>425.00</u>

EXHIBIT A-3

State Records Center

(2 Unit)

Cargo Lift (No Manufacturer / Model noted) \$ 425.00

Cargo Lift (No Manufacturer / Model noted) \$ 425.00

TOTAL: State Records Center \$ 850.00

TDH COMPLEX

Robert D Moreton Building (4 units)

Elevator Control Engineering Passenger #1 \$ 475.00

Elevator Control Engineering Passenger #2 \$ 475.00

Elevator Control Engineering Passenger #3 \$ 475.00

Elevator Control Engineering Passenger #4 \$ 475.00

TOTAL: Robert D Moreton Building \$ 1900.00

Robert B Bernstein Building (DSHS G Building) (2 units)

Motion Control Engineering Passenger #1 \$ 420.00

Motion Control Engineering Passenger #2 \$ 420.00

TOTAL: Robert B Bernstein Building \$ 840.00

DSHS Tower Building (4 Units)

KONE KCMA31 Traction Passenger #1 \$ 485.00

KONE KCMA31 Traction Passenger #2 \$ 485.00

KONE KCMA31 Traction Passenger #3 \$ 485.00

KONE KCMA31 Traction Passenger #4 \$ 485.00

TOTAL: DSHS Tower Building \$ 1940.00

DHNL (3 Units)

Thyssen TAC 50 Passenger #1 \$ 335.00

Thyssen TAC 50 Passenger #2 \$ 335.00

Thyssen TAC 50 Freight #3 \$ 335.00

TOTAL: DHNL \$ 1005.00

DHB (old MHMR)

(2 units)

Dover LMH - B Hydraulic Passenger #1 \$ 370.00

Dover LMH - B Hydraulic Passenger #2 \$ 370.00

TOTAL: DHB (old MHMR) \$ 740.00

TOTAL MONTHLY COST NORTH AUSTIN COMPLEXES \$ 15,675.00

EXHIBIT A-3

HOURLY LABOR RATE and MATERIALS

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Labor:

Straight time* hourly rate per qualified elevator maintenance mechanic: \$ 135.00

Straight time* hourly rate per elevator maintenance helper: \$ 105.00

Overtime** hourly rate per qualified elevator maintenance mechanic: \$ 203.00

Overtime** hourly rate per elevator maintenance helper: \$ 158.00

Materials:

Material Markup: Contractor shall invoice at MSRP/List*** minus 0 percent

Materials purchased at local retail outlets by Contractor field staff. Contractor shall invoice at cost (sales receipt/invoiced price).

Payment and Performance Bonds (if required): Contractor shall invoice at cost (sales receipt/invoiced price).

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EXHIBIT A-3

GROUP #3 – TEXAS SCHOOL FOR THE DEAF

Koen Hall

(1 Unit)

MCE HMC-1000 Hydraulic Passenger

\$ 220.00

Lewis Hall

(1 Unit)

MCE HMC-1000 Hydraulic Passenger

\$ 220.00

Ford Building

(1 Unit)

MCE HMC-1000 Hydraulic Passenger

\$ 220.00

Pease/Administration Building

(1 Unit)

Dover Solid State Hydraulic Passenger

\$ 250.00

High School

(1 Unit)

MCE HMC-1000 Hydraulic Passenger

\$ 220.00

Middle School

(1 Unit)

MCE HMC-1000 Hydraulic Passenger

\$ 220.00

Columbo Swim Center (outside)

(1 Unit)

MCE HMC-1000 Hydraulic Passenger

\$ 220.00

Columbo Swim Center (inside)

(1 Unit)

MCE HMC-1000 Hydraulic Passenger

\$ 220.00

Auditorium

(1 Unit)

Nation Wheel-O-Vator Model BC60

\$ 110.00

TOTAL MONTHLY COST TEXAS SCHOOL FOR THE DEAF

\$ 1900.00

EXHIBIT A-3

HOURLY LABOR RATE and MATERIALS

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Labor:

Straight time* hourly rate per qualified elevator maintenance mechanic: \$ 135.00

Straight time* hourly rate per elevator maintenance helper: \$ 105.00

Overtime** hourly rate per qualified elevator maintenance mechanic: \$ 203.00

Overtime** hourly rate per elevator maintenance helper: \$ 158.00

Materials:

Material Markup: Contractor shall invoice at MSRP/List*** minus 0 percent

Materials purchased at local retail outlets by Contractor field staff. Contractor shall invoice at cost (sales receipt/invoiced price).

Payment and Performance Bonds (if required): Contractor shall invoice at cost (sales receipt/invoiced price).

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