

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

THIS 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 Blvd., Austin, Texas 78701, as Owner (as defined in UGC, Section 1.25) and Encotech Engineering Consultants, Inc. (hereinafter referred to as "A/E"), located at 8500 Bluffstone Cove, Suite B-103, Austin, Texas 78759, amend the following agreement for professional architectural and engineering services dated March 3, 2016 (hereinafter referred to as the "Agreement").

WHEREAS, changed circumstances require mutually desirable alterations to the scope and fees in the Agreement; 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 Agreement as follows:

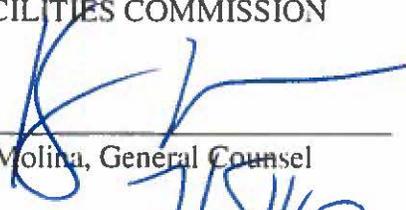
1. The parties hereby agree to modify ARTICLE II – SCOPE OF SERVICES by reflecting Additional Services for the survey of fire alarm and fire sprinkler systems in the East and West Towers and Building C of the John H. Winters Complex located at 701 East 51st Street, Austin, Texas, as further depicted in A/E's proposal dated May 23, 2016, attached hereto and incorporated herein for all purposes as "Exhibit A-1".

2. The parties hereby agree to modify ARTICLE IV – CONSIDERATION, SECTION 4.1 CONTRACT LIMIT – FEES AND EXPENSES, SUBSECTION 4.1.1 – FIXED FEE, PARAGRAPH 4.1.1.1. – FIXED FEES by reflecting additional compensation to be paid to A/E in the amount of Sixteen Thousand Six Hundred Fifty Two and No/100 Dollars (\$16,652.00), thus increasing the total amount of the Agreement from Three Hundred Thirty Six Thousand Seven Hundred Eighty Seven and No/100 Dollars (\$336,787.00) to a total not to exceed amount of Three Hundred Fifty Three Thousand Four Hundred Thirty Nine and No/100 Dollars (\$353,439.00).

Except as expressly amended above, the Agreement remains in full force and effect.

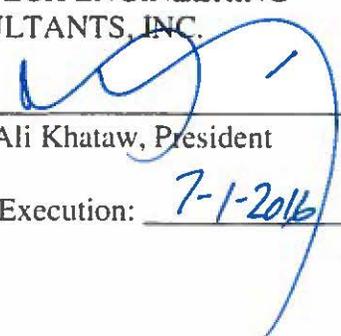
IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 to be effective as the date of the last party to sign.

TEXAS FACILITIES COMMISSION

By: 
Kay Molina, General Counsel

Date of Execution: 7/5/16

ENCOTECH ENGINEERING
CONSULTANTS, INC.

By: 
Ali Khataw, President

Date of Execution: 7-1-2016

GC 

Dir. MW

D.E.D. 

EXHIBIT A-1

**TFC CONTRACT NO. 16-077-000
AMENDMENT NO. 1**

A/E'S PROPOSAL



We shape the world you live in.

May 23, 2016

Mr. Jason Nezamabadi
Texas Facility Commission
Facilities Design and Construction
1711 San Jacinto Blvd.
Austin, Texas 78701

Re: John H. Winters Complex – Austin, Texas
TFC No. 16-009-5580 | Amendment No. 1
Phase I Feasibility Study for Deferred Maintenance Project at the John H. Winters Complex
Additional Services: Fire Alarm and Sprinkler Systems Survey for the East tower, West Tower and Building C

Encotech Engineering Consultants (ENCOTECH) is pleased to submit this proposal for additional services on the above referenced project to the Texas Facility Commission (OWNER).

I. ADDITIONAL SCOPE:

Survey of the fire alarm and sprinkler systems for the John H. winters Complex to include the East tower, West Tower and Building C.

II. ENCOTECH SCOPE OF SERVICES:

1. Coordination with the Owner and Sub-Consultant.
2. Review of the Jensen Hughes fire sprinkler system survey.
3. Incorporate report of deficiencies at the 35%, 65%, 95% and final completion stages.
4. Issue a final report.

III. SUB-CONSULTANT – JENSON HUGHES (formerly AON):

Jensen Hughes (formerly AON) will conduct a survey of the fire alarm and sprinkler systems for the John H. winters Complex to include the East tower, West Tower and Building C. Please reference Sub-Consultant's proposal (Attachment A) to this Prime Proposal for their full scope description with assumptions, conditions and exclusions.

IV. ASSUMPTIONS & CONDITIONS:

The scope of services presented herein and associated estimated budgets are based upon ENCOTECH'S understanding of the proposed development. Changes in the project that affect the underlying contract assumptions may impact the required professional service fee.

Accordingly, ENCOTECH wishes to inform the CLIENT and/or the Owner that this proposal is based on the following documents, assumptions and conditions:

1. The Assumptions & Conditions, Terms & Conditions, Additional Services, Reimbursable and Exclusions are as stated in the Agreement dated December 7, 2015.
2. The request for the Additional Services proposal was provided in an email from Jason Nezamabadi of Texas Facility Commission (TFC) to Ali Khataw and Gene Raanes of Encotech dated 05/03/16.
3. Clarification of the additional services scope of work for building C as stated in an email from Jason Nezamabadi of Texas Facilities Commission (TFC) to Ali Khataw and Gene Raanes of Encotech dated 05/09/16

V. COMPENSATION

The lump sum fee to provide the anticipated services outlined above shall be as follows:

ENCOTECH.....	\$1,514.00
JENSON HUGHES (formerly ADN).....	\$15,138.00
TOTAL FEE	\$16,652.00

VI. EXCLUSIONS

The following exclusion is added to the exclusions as stated in the Agreement dated December 7, 2015:

1. Areas to be surveyed in Building C shall exclude the raised floor areas on the first level but will include the first floor offices.

VIII. RESPONSIBILITY OF OTHERS

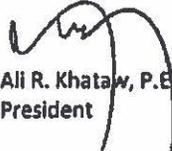
Responsibility of Others are as stated in the Agreement dated December 7, 2015.

If the project is cancelled prior to completion of design, then Encotech shall be paid for percentage work completed up to the date of cancellation.

Again, we are very pleased to have this opportunity to offer our services to you on this project, and we are dedicated to making it a full success.

Sincerely,

Eugene W. Raanes, P.E., CPD, GPD
Principal



Ali R. Khataw, P.E.
President
cc: Project File

Accepted by Amendment 1
AGREED & ACCEPTED: (Texas Facilities Commission)

Authorized Corporate Officer (Please print name, title & sign)

Date: _____

Attachment A



May 6, 2016
Revised May 9, 2016

Mr. Eugene Raanes
Principal
Encotech Engineering Consultants
8500 Bluffstone Cove, Suite B-103
Austin, TX 78759

Re: Additional Services
John H. Winters Building
Austin, Texas
Proposal No. 16-1083-1

Dear Mr. Raanes:

Enclosed is our Authorization for Requested Additional Services Change No. 1 for the referenced project, presented to Encotech Engineering Consultants (Client) for approval.

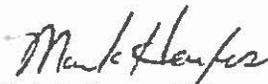
John Winters Building is located at 701 West 51st Street and has 6 floors and a basement with enclosed crossovers connecting the two-story atriums in the east and west towers. Building C is a 3 story data center building. The JHW complex is a combination office/computer facility with a conditioned floor area of 503,000 square feet. JENSEN HUGHES is currently providing life safety services for the Deferred Maintenance project at the John H. Winters Complex. The Client has asked JENSEN HUGHES to provide additional services to conduct a survey of the fire alarm and sprinkler systems for the John H. Winters Complex.

These services are outside the scope originally agreed upon for this project.

To initiate our services, please sign and return this proposal at your earliest convenience, or provide a written (email) notice to proceed agreeing with the scope, pricing, and terms and conditions stated herein.

Very truly yours,

JENSEN HUGHES


Mark D. Hayes, SET
Office Leader

Client Email: eugene.raanes@eec-tx.com
Client Phone: 513-338-1101

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F +1 972 334-2753

1701 N. Coates Boulevard Suite 205
Richardson, TX 75083 USA
Texas Registered Engineering Firm F-3244

jensenhughes.com

**AUTHORIZATION FOR REQUESTED ADDITIONAL SERVICES
CHANGE NO. 1**

Date:	May 9, 2016
Project Name:	John H. Winters Building / Fire Protection and Life Safety Services
Project Location:	Austin, Texas
Project No.:	1716009-000
Original Contract Dated:	January 28, 2016
Client:	Encotech Engineering Consultants
Contact:	Mr. Eugene Raanes

DESCRIPTION OF ADDITIONAL SERVICES

JENSEN HUGHES proposes to perform the following additional scope of services. The services are described in detail as follows:

1. Conduct a fire alarm system survey of the John H. Winters Complex.
2. Conduct a fire sprinkler system survey of the John H. Winters Complex.
3. Prepare and issue a report of deficiencies at the 35%, 65%, 95% and final completion stages.
4. Attend an "over the shoulder" review meeting with the Owner and design team prior to issuing for the 35%, 65% and 95% report.
5. Attend a review meeting with the Owner and design team for the 35%, 65% and 95% report. Note that one person will represent JENSEN HUGHES at the meeting; other team members will attend via phone, if required.
6. Issue a final report.

Estimated Budget: \$15,138.00

Fire Alarm Survey \$174.00 X 18 hours = \$3,132.00

Fire Sprinkler Survey \$174.00 X 17 hours = \$2,958.00

Review meetings (6) \$174.00 X 24 hours = \$4,176.00

Report \$174.00 X 28 hours = \$4,872.00

Net Increase for these Additional Services	\$ 15,138.00
Original Contract Sum	\$ 18,786.00
Net Change by Previously Authorized Additional Services	\$ 0.00
Contract Sum Prior to this Additional Services Request	\$ 18,786.00
Net Increase for Additional Services described herein	\$ 15,138.00
New Contract Sum	\$ 33,924.00

The Client agrees to reimburse JENSEN HUGHES for any transportation and/or living expenses incurred by JENSEN HUGHES as a result of the Client cancelling or rescheduling a meeting or site visit. These expenses will be billed at cost plus ten percent.

This agreement shall be subject to the terms and conditions of the original agreement for this project, dated January 28, 2016, between Aon Fire Protection Engineering Corporation (acquired by JENSEN HUGHES) and the Client.

To initiate our services, please sign and return this proposal at your earliest convenience; or provide a written (email) notice to proceed agreeing with the scope, pricing, and terms and conditions stated herein.

JENSEN HUGHES appreciates the opportunity to assist Encotech Engineering Consultants. If you have any questions regarding this Additional Services/Fee Increase Request, please contact me at 972-234-1617 or at mark.d.hayes@aon.com.

JENSEN HUGHES:

Encotech Engineering Consultants:

By: Mark D. Hayes
Signature

By: _____
Signature

Mark D. Hayes, SET
Printed name

Printed name

Office Leader, Texas Offices
Title

Title

May 9, 2016
Date

Date