

**AMENDMENT NO. 1
TO THE
PROFESSIONAL ARCHITECTURAL/ENGINEERING
SERVICES AGREEMENT
BETWEEN THE
TEXAS FACILITIES COMMISSION
AND
M. ARTHUR GENSLER, JR. & ASSOCIATES, INC., DBA GENSLER**

This Amendment No. 1 is entered into by and between the Texas Facilities Commission, a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701 (hereinafter referred to as “TFC”), as Owner (as defined in UGC, Section 1.28) and M. Arthur Gensler, Jr. & Associates, Inc. dba Gensler located at 212 Lavaca Street, Suite 390, Austin, Texas 78701 (hereinafter referred to as “A/E”) to amend the agreement for professional architectural and engineering services effective as of March 11, 2016 (hereinafter referred to as “Agreement”).

WHEREAS, changed circumstances require mutually desirable alterations in the fee and duration to 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 agree to modify ARTICLE II – DESCRIPTION OF PROJECT AND SCOPE OF SERVICES, SECTION 2.1 – DESCRIPTION OF PROJECT by reflecting Additional Services to include, but not to be limited to, design and construction administration for renovation of restrooms on the 6th Floor of the Lyndon B. Johnson State Office Building, located at 111 East 17th Street, Austin, Texas 78701 (herein after referred to as the “Project”), as further depicted in “Exhibit A-1,” A/E’s Work Authorization for Additional Services Number 25.1292.000 dated October 3, 2016, attached hereto and incorporated herein for all purposes.

2. The parties agree to modify ARTICLE III – TERM AND TERMINATION, SECTION 3.1, DURATION, by deleting SECTION 3.1 in its entirety and replacing it with the following SECTION 3.1 DURATION: “This Agreement shall be effective as of the Effective Date and shall terminate on October 31, 2018, unless extended by the Parties by amendment to this Agreement or terminated earlier, as provided below.”

3. The parties agree to modify ARTICLE IV – CONSIDERATION, SECTION 4.1 CONTRACT LIMIT – FEES AND EXPENSES, SUBSECTION 4.1.1 – FIXED FEE by reflecting additional compensation to be paid the A/E in the amount of Seventy Six Thousand Two Hundred Seventy Two and No/100 Dollars (\$76,272.00) (hereinafter referred to as the “Additional Compensation”), thus increasing the total compensation from Five Hundred Seventy-Four Thousand Five Hundred and No/100 Dollars (\$574,500.00) to a new total of Six Hundred Fifty Thousand Seven Hundred Seventy Two and No/100 Dollars (\$650,772.00).

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 of the date of the last party to sign.

TEXAS FACILITIES COMMISSION

By: [Signature]

Kay Molina

General Counsel

12-16-2016

G.C. [Signature]

Dir. [Signature]

D.E.D. [Signature]

**M. ARTHUR GENSLER, JR. &
ASSOCIATES, DBA GENSLER**

By: [Signature]

Print Name: Todd Rynkiewicz

Title: Principal

EXHIBIT A-1

TFC CONTRACT NO. 16-087-000

A/E'S WORK AUTHORIZATION FOR ADDITIONAL SERVICES

NUMBER 25.1292.000 DATED OCTOBER 3, 2016



WORK AUTHORIZATION FOR ADDITIONAL SERVICES NUMBER 25.1292.000

Project: TFC LBJ Building - 6 th Floor Restroom Renovation and 1 st Floor corridor	Date: October 10, 2016
Project Location: 111 E. 17th St., Austin, TX 78701	Project Number: 25.1292.000
Client: Texas Facility Commission	File: 1 WA This Page 1 of 2

Services to be performed pursuant to the Original or Master Agreement, date

TFC LBJ Building – 5th & 7th Floor Renovation, Austin Texas executed on March 11, 2016

If there is no Original or Master Agreement referenced above Gensler’s current Standard Terms and Conditions (“STC”) shall apply. A copy of the STC is attached or available upon request.

Other References

Services not included (this list is not exhaustive)

Fee and Basis	<input checked="" type="checkbox"/> Lump Sum of \$ <u>73,272</u>	<input checked="" type="checkbox"/> Plus Reimbursable Expenses (\$3,000 limit)
	<input type="checkbox"/> Hourly	<input type="checkbox"/> Plus Consultants which are not listed as included in fee (15% mark-up)
	<input type="checkbox"/> Hourly, not to exceed \$ _____ without prior authorization	<input type="checkbox"/> Other: _____
Date Services to Begin	<input type="checkbox"/> __ (specify date)	
	<input checked="" type="checkbox"/> Immediately after Work Authorization approval	
Services projected to be completed no later than the following, if indicated	<input checked="" type="checkbox"/> 10/2017 (specify date)	
	<input type="checkbox"/> _____ Working days after Work Authorization approval	

Services requested by: Keith Hall **Date of Request:** September 23, 2016

Gensler Authorization by: Acceptance in accordance with TFC Contract No. 16-087-000, Amendment No. 1
Todd Runkle, Principal and Co-managing Director **Date Signed:**

Client Authorization by: Acceptance in accordance with TFC Contract No. 16-087-000, Amendment No. 1 **Date Signed:**

Authorization is confirmed for Gensler to perform the following services:

Gensler’s Basic Services include:

- Existing conditions and site investigations for the 6th floor restroom renovation.
- A/E will provide professional services for Architectural, Mechanical, Plumbing, Electrical and Fire Protection Systems to complete the 6th Floor

Work Authorization for Additional Services
 October 3, 2016
 Page 2

Gensler

restroom renovation following design considerations established by the 5th & 7th floors.

- 6th Floor corridor and elevator lobby finishes upgrade, including paint, door frames and graphics.
- 1st floor corridor to the Comptroller office finishes upgrade, including paint, door frames and graphics.

The amendment to the scope fee breakdown is as follows:

Architectural Design Services:

Site Investigation/Programming/Documentation	\$ 7,000
Construction Documents	\$ 22,000
Bid / Negotiation	\$ 5,000
Construction Administration	\$ 10,000
Architectural Total	\$ 44,000

MEP Design Services:

Programming	\$ 6,272
Construction Documents/Bid/Const. Adm.	\$ 15,000
TOTAL	\$ 21,272
Markup - 0%	\$ 0
MEP Total	\$ 21,272
TOTAL DESIGN FEE	\$ 63,272
REIMBURSABLES	\$ 3,000
UNFORSEEN CONDITIONS	\$ 10,000
TOTAL	\$ 76,272