

TFC Contract No. 16-142-000
Huitt-Zollars, Inc.
Amendment No. 4
Project No. 16-013-6077

**AMENDMENT NO. 4
TO THE
PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES
AGREEMENT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
HUITT-ZOLLARS, INC.**

This Amendment No. 4 to the Professional Architectural/Engineering Services Agreement (hereinafter referred to as “Amendment No. 3”) 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 Huitt-Zollars, Inc. (hereinafter referred to as “A/E”), located at 10350 Richmond Avenue, Suite 300, Houston, Texas, 77042-4248 (hereinafter referred to collectively as the “Parties”), to amend the original Professional Architectural/Engineering Services Agreement between the parties (hereinafter referred to as the “Agreement”), as amended.

RECITALS

WHEREAS, on September 12, 2016, the parties entered into that one certain *Professional Architectural/Engineering Services Agreement Between the Texas Facilities Commission and Huitt-Zollars, Inc.* (hereinafter referred to as the “Agreement”); and

WHEREAS, on January 23, 2018, the Parties executed Amendment No. 1, for the purpose of providing for Additional Compensation and Fees, extending the term of the Agreement, amend A/E’s List of Project Manager and Subcontractors, and to incorporate a statutorily required provision; and

WHEREAS, on May 10, 2019, the Parties executed Amendment No. 2, for the purpose of further extending the term of the Agreement, provide for Additional Compensation and Fees, modify an insurance requirement, change A/E’s address, and to incorporate a statutorily required provision; and

WHEREAS, on September 6, 2019, the Parties executed Amendment No. 3, to provide for Additional Services and Fees, and to modify certain provisions of the Agreement and to include new provisions adopted by TFC subsequent to the execution of Amendment No. 2; and

WHEREAS, the Parties now desire to further amend the Agreement to provide for Additional Services and Fees, to extend the Duration, and to supplement the List of Project Manager(s) and Subcontractor(s);

NOW THEREFORE, the parties hereby agree as follows:

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1. The Parties agree to amend ARTICLE III – TERM AND TERMINATION, Section 3.1, Duration, as amended, by deleting Section 3.1 in its entirety and replacing it with Section 3.1, as follows:

“3.1. Duration. This Agreement shall be effective as of the Effective Date and shall terminate on August 31, 2021, unless extended by the parties by amendment to this Agreement or terminated earlier, as provided below.”

2. 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 A/E services due to an increase in the scope of work requested by the Department of Public Safety (“DPS”) at the existing DPS facility located at, 1220 South Gessner Road, Houston, to be provided under this Amendment No. 4 in the amount of Five Thousand Six and No/100 Dollars (\$5,006.00), thus increasing the total amount of the Agreement from Three Hundred Sixty-Two Thousand Five Hundred Five and No/100 Dollars (\$362,505.00), to a total not to exceed amount of Three Hundred Sixty-Seven Thousand Five Hundred Eleven and No/100 Dollars (\$367,511.00), as more particularly described in “Exhibit A-4,” A/E’s Proposal dated July 13, 2020, and comprised of two (2) pages, attached hereto and incorporated herein for all purposes.

3. The parties agree to modify ARTICLE V – ACKNOWLEDGMENT, COVENANTS, AND AGREEMENTS, Section 5.2 – Acknowledgments, Covenants, and Agreements Of A/E, Subsection 5.2.8 – Identification Of Project Manager and All Subcontractors, by amending Exhibit F, List of A/E Project Manager and Subcontractors, to add “Exhibit B-4,” A/E’s Supplemental List of Project Manager and Subcontractors for this Amendment No. 4. “Exhibit B-4” is attached hereto and incorporated herein for all purposes.

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4. Unless 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.

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

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 4 to be effective as of the date of the last Party to sign.

TEXAS FACILITIES COMMISSION

HUITT-ZOLLARS, INC.

By: ^{DocuSigned by:}
Mike Novak, Executive Director
BTC9FC0A8020417...

By: ^{DocuSigned by:}
Gregory R. Wine, Senior Vice President
445468523C41446...

Mike Novak

Gregory R. Wine

Executive Director

Senior Vice President

Date of execution: 08/20/2020 | 9:19 AM CDT

Date of execution: 08/20/2020 | 9:12 AM CDT

PM ^{DS}
JN

GC ^{DS}
SEH/AL

Dir ^{DS}
MW

DED ^{DS}
JR

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EXHIBIT A-4

A/E'S PROPOSAL DATED JULY 13, 2020



HUITT-ZOLLARS, INC. | 10350 Richmond Ave. | Suite 300 | Houston, TX 77042-4248 | 281.496.0066 phone | 281.496.0220 fax | huitt-zollars.com

July 13, 2020

Jason Nezamabadi
Project Manager
Texas Facilities Commission
Facilities Design & Construction Division
1711 San Jacinto Blvd., 4th Floor
Austin, Texas 78701

Attention: Jason Nezamabadi
Project Manager

Reference: Texas Department of Public Safety’s South Gessner Facility – Proj. No. 16-013-6077
TFC Contract No. 16-142-000

Subject: Proposal for Amendment No. 4 - Additional Construction Administration Services

Dear Mr. Nezamabadi:

Huitt-Zollars, Inc. (Huitt-Zollars) appreciates the opportunity to provide our proposal to the Texas Facilities Commission (TFC) for additional construction administration phase services on the Department of Public Safety (DPS) South Gessner Drivers License Facility in Houston, Texas (Project). Our proposal is based upon the following scope of services and compensation. The terms and conditions are in our referenced contract with the TFC.

SCOPE OF SERVICES:

The additional services include TFC-directed changes for bollards, signs, and landscaping revisions and construction management and inspection services to address work by the contractor which was not in conformance with the contract documents.

COMPENSATION:

Our proposed budget is as follows. See attachment for detailed hourly breakdown of level of effort.

Additional Construction Administration Services \$ 5,006.00 (lump sum)

AUTHORIZATION:

Should this proposal meet with your approval and acceptance, please return a written authorization to our office by email or by facsimile at 281/496-0220. If you have any questions, please call.

Sincerely,
HUITT-ZOLLARS, INC.

Gregory R. Wine, P.E., LEED AP
Senior Vice President

Enclosure

Amendment No. 4

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Huitt-Zollars, Inc.

Exhibit A-4

CM Services

Date	Work	Hours	Comments	Additional Hrs.
2/21/2020	Site	2	Backfilling storm sewer pipe no Lab present I let Jason know	2
2/24/2020	Site	1	Completed storm sewer	1
3/3/2020	Site	4	Keystone started placing asphalt without poimt repairs tested by Lab.	3.5
3/27/2020	Site	2	GC stated on 3/26 that they would be installing asphalt on 3/27 and Jason requested HZ to go out and inspect the work.	2
4/7/2020	Coordination of Client Changes	0.5	Bollard/Sign Change	0.5
4/8/2020	Coordination of Client Changes	1.5	Bollard/Sign and Landscaping Change	1.5
4/9/2020	Coordination of Client Changes	1	Bollard/Sign Change	1
4/10/2020	Coordination of Client Changes	1	Bollard/Sign Change	1
4/19/2020	PCO/Projectmates Issues	2	Issues with working the PCO through the new project software	2
4/20/2020	PCO/Projectmates Issues	1	Issues with working the PCO through the new project software	1

15.5

CM Additional Hrs.	Rate	Total
15.5	\$	2,867.50

Engineer Additional Design-Bollards/Sign	Hours	Rate	Total
3/25/2020	1	\$ 185.00	\$ 185.00
3/26/2020	2	\$ 185.00	\$ 370.00
3/27/2020	1	\$ 185.00	\$ 185.00
4/7/2020	0.5	\$ 185.00	\$ 92.50
4/8/2020	2.5	\$ 185.00	\$ 462.50
4/9/2020	2	\$ 185.00	\$ 370.00
4/10/2020	0.25	\$ 185.00	\$ 46.25
Total Hrs.	9.25	\$ 185.00	\$ 1,711.25

Project Manager Additional Time -Bollard/Sign and Landscaping Changes	Rate	Total
4/1/2020	0.25 \$ 190.00	\$ 47.50
4/2/2020	0.25 \$ 190.00	\$ 47.50
4/3/2020	0.25 \$ 190.00	\$ 47.50
4/6/2020	0.25 \$ 190.00	\$ 47.50
4/7/2020	0.25 \$ 190.00	\$ 47.50
4/8/2020	0.25 \$ 190.00	\$ 47.50
4/9/2020	0.25 \$ 190.00	\$ 47.50
4/10/2020	0.5 \$ 190.00	\$ 95.00
Total Hrs.	2.25 \$ 190.00	\$ 427.50

Total Additional Fee: \$

5,006.25

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EXHIBIT B-4

A/E'S SUPPLEMENTAL LIST OF PROJECT MANAGER AND SUBCONTRACTORS

A/E's Supplemental List of Project Manager and Subcontractors**(Name, Company Name, Address & Contact Person (Project Manager))**

A. A/E Project Manager:	<u>Frank Andrews, PE</u> (Name) <u>Huitt-Zollars</u> (Company) <u>10350 Richmond, Suite 300 Houston TX</u> (Address) <u>832-622-5101</u> (Cell #) <u>fandrews@huitt-zollars.com</u> (Email)
Civil Engineer	<u>Catherine Gilliland, PE</u> (Name) <u>Huitt-Zollars</u> (Company) <u>10350 Richmond, Suite 300 Houston TX</u> (Address) <u>281-496-0066</u> (Cell #) <u>cgilliland@huitt-zollars.com</u> (Email)
Construction Manager	<u>Claude Marshall</u> (Name) <u>Huitt-Zollars</u> (Company) <u>10350 Richmond, Suite 300 Houston TX</u> (Address) <u>281-512-0292</u> (Cell #) <u>cmarshall@huitt-zollars.com</u> (Email)
B. E&C Project Manager:	<u>Heather Camden, PE</u> (Name) <u>E&C Engineers & Consultants Inc.</u> (Company) <u>1010 Lamar, Suite 650, Houston, TX 77002</u> (Address) <u>(713)305-5479</u> (Cell #) <u>camden@eceng.com</u> (Email)
C. E&C Staff:	
MEP	
1.	<u>Larkin Gentry, PE</u> (Name) <u>E&C Engineers & Consultants Inc.</u> (Company) <u>1010 Lamar, Suite 650, Houston, TX 77002</u> (Address) <u>(713)569-4570</u> (Cell #) <u>gentry@eceng.com</u> (Email)
2.	<u>Gus Mobayed, PE</u> (Name) <u>E&C Engineers & Consultants Inc.</u> (Company) <u>1010 Lamar, Suite 650, Houston, TX 77002</u> (Address) <u>(713)865-6524</u> (Cell #) <u>mobayed@eceng.com</u> (Email)
3.	<u>Cary Berger</u> (Name)

