



(5) revise Article 5 “Compensation and Fees” of the **Agreement** to increase the lump sum fee payable by the **Owner** to the **Engineer**.

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## AGREEMENT

**NOW THEREFORE**, premises considered, the **Owner** and the **Engineer** agree that the **Agreement** is amended as follows:

- I. Exhibit C of the **Agreement** (Work Schedule) is replaced with the “Exhibit C” attached hereto bearing a footnoted date of November 13, 2012.
  
- IV. Article 3.1 of the **Agreement** (Termination Date) is deleted and the following is inserted in lieu thereof:  
  
“This **Agreement** shall terminate at the close of business on **December 31, 2017** (hereinafter referred to as the “**Termination Date**”), unless extended by written supplemental agreement, as provided in Article 8 hereof, duly executed by the **Engineer** and the **Owner** prior to the **Termination Date**, or otherwise terminated as provided in Article 3.4 herein and below.
  
- V. Exhibit D of the **Agreement** (Engineer’s Contract Rates) is supplemented with “Exhibit D” attached hereto bearing a footnoted date of November 13, 2012.
  
- VI. Exhibit D1 of the **Agreement** (Cost Proposal) is replaced with “Exhibit D1 attached hereto bearing a footnoted date of November 13, 2012.
  
- VII. Article 5 of the **Agreement** (Compensation and Fees) first sentence is amended to read as follows:  
  
“For and in consideration of the services to be rendered by the **Engineer**, as identified in Article 2 and more particularly identified in **EXHIBIT “B”**, attached hereto, the lump sum fee (hereinafter referred to as the “**Fee**”) payable by the **Owner** to the **Engineer** is One Million Four Hundred Eighteen Thousand Five Hundred Eighty dollars (\$ 1,418,580).”

**Except as amended by this Supplemental Agreement No. 4, the remaining provisions of the Agreement, along with previous revisions, are unchanged and shall remain in full force and effect.**

Hidalgo County / R. Gutierrez Engineering Corporation  
*Nolana Loop – FM 1426 to FM 88*

**IN WITNESS WHEREOF**, the **Engineer** and the **Owner** have caused this Supplemental Agreement to the Agreement for Professional Services to be executed as of the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**THE ENGINEER:  
R. GUTIERREZ ENGINEERING CORPORATION**

**BY:** \_\_\_\_\_  
Ramiro Gutierrez, P.E., President

**THE OWNER:  
HIDALGO COUNTY**

**BY:** \_\_\_\_\_  
County Judge

**LIST OF ATTACHMENTS:**

- “Exhibit C” – Revised 11-13-12
- “Exhibit D” – Revised 11-13-12
- “Exhibit D1” – Revised 11-13-12

**ATTEST:**

**BY:** \_\_\_\_\_

Hidalgo County / R. Gutierrez Engineering Corporation  
*Nolana Loop – FM 1426 to FM 88*

**EXHIBIT “C”**  
**Work Schedule**

For this Agreement, the **Engineer** shall perform the work identified in EXHIBIT “B” in accordance with the following schedule:

**PART 1**

**PROJECT MILESTONES**

**SCHEDULE \***

**Phase I – Preliminary Engineering - (Entire Length of Project – 9.9 miles)**

Project Notice to Proceed	February 1, 2001
Surveying for Planimetrics	Sep 1 to Nov 1, 2002
Develop Planimetrics	Dec 1, 2002 to Feb 1, 2003
Preliminary Schematic Design	Jan 1, 2003 to Aug 1, 2006
Informal Public Meetings	Aug 1, 2006 to Sep 1, 2006
Environmental Assessment	Feb 1, 2003 to Sep 30, 2012
FHWA Review	Oct 1, 2012 to Dec 31, 2012
Receive Authorization for Public Hearings	Jan 1 to Jan 30, 2013
Public Hearing Process	Jan 1, 2013 to Feb 28, 2013
Final Schematic Design	Mar 1, 2013 to Apr 30, 2013
Obtain Environmental Clearance	Mar 1, 2013 to Apr 30, 2013

**Phase II – Right-of-Way Map - (Raul Longoria Rd to 0.25 mi east of Alamo Rd – 2.25 mi)**

Title Reports	Aug 1, 2002 to Jun 30, 2013
Abstract Right-of-Way Map	Sep 1, 2002 to Jun 30, 2013
Surveying for Right-of-Way Map	Oct 1, 2002 to Aug 31, 2013
Prepare Field Notes & Parcel Sketches	Oct 1, 2002 to Aug 31, 2013
Final Right-of-Way Map	Sep 1, 2013

**Phase III – Plans Development - (Raul Longoria Rd to 0.25 mi east of Alamo Rd – 2.25 mi)**

Begin Plan Development	Dec 1, 2002
Surveying – Field Verification	Feb 1, 2003 to Aug 1, 2005
Geotechnical Investigation	Apr 1, 2013 to May 31, 2013
Develop Detailed Plans	Feb 1, 2003 to Apr 30, 2014
TxDOT Review	May 1, 2014 to Aug 31, 2014
Project Letting	Sep 7, 2014

The **Engineer** will diligently pursue to complete Phases I, II and III for a 2.25 mile section from Raul Longoria Road to 0.25 miles east of Alamo Road. Phase I work for the entire length of project will proceed as expeditiously as possible but Phase II & III of the work for the 2.25 mile section will be completed by September 7, 2011.

## **PART 2**

### **PROJECT MILESTONES**

### **SCHEDULE \***

#### **Phase II – Right-of-Way Map – (0.25 mi east of Alamo Rd to 0.25 mi east of FM 1423 – 2.35 mi)**

Title Reports	Oct 1, 2013 to Dec 31, 2013
Abstract Right-of-Way Map	Oct 1, 2013 to Dec 31, 2013
Surveying for Right-of-Way Map	Jan 1, 2014 to Mar 31, 2014
Prepare Field Notes & Parcel Sketches	Jan 1, 2014 to Mar 31, 2014
Final Right-of-Way Map	Apr 1, 2014

#### **Phase III – Plans Development – (0.25 mi east of Alamo Rd to 0.25 mi east of FM 1423 – 2.35 mi)**

Begin Plan Development	Oct 1, 2014
Surveying – Field Verification	Apr 1, 2003 to Apr 30, 2011
Geotechnical Investigation	Jun 1, 2013 to Jul 31, 2013
Develop Detailed Plans	Oct 1, 2014 to Apr 30, 2015
TxDOT Review	May 1, 2015 to Aug 31, 2015
Project Letting	Sep 7, 2015

## **PART 3**

### **PROJECT MILESTONES**

### **SCHEDULE \***

#### **Phase II – Right-of-Way Map – (0.25 mi east of FM 1423 to FM 493 – 2.6 mi)**

Title Reports	Feb 1, 2014 to May 31, 2014
Abstract Right-of-Way Map	Feb 1, 2014 to May 31, 2014
Surveying for Right-of-Way Map	Jun 1, 2014 to Aug 31, 2014
Prepare Field Notes & Parcel Sketches	Jun 1, 2014 to Aug 31, 2014
Final Right-of-Way Map	Sep 1, 2014

#### **Phase III – Plans Development – (0.25 mi east of FM 1423 to FM 493 – 2.6 mi)**

Begin Plan Development	Oct 1, 2015
Surveying – Field Verification	Jun 1, 2003 to Aug 31, 2011
Geotechnical Investigation	Aug 1, 2013 to Sep 30, 2013
Develop Detailed Plans	Oct 1, 2015 to Apr 30, 2016
TxDOT Review	May 1, 2016 to Aug 31, 2016
Project Letting	Sep 7, 2016

**PART 4**

**PROJECT MILESTONES**

**SCHEDULE \***

**Phase II – Right-of-Way Map – (0.25 mi east of FM 493 to FM 88 – 2.7 mi)**

Title Reports	Oct 1, 2014 to Jan 31, 2015
Abstract Right-of-Way Map	Oct 1, 2014 to Jan 31, 2015
Surveying for Right-of-Way Map	Feb 1, 2015 to Apr 30, 2015
Prepare Field Notes & Parcel Sketches	Feb 1, 2015 to Apr 30, 2015
Final Right-of-Way Map	May 1, 2015

**Phase III – Plans Development – (0.25 miles east of FM 493 to FM 88 – 2.7 mi)**

Begin Plan Development	Oct 1, 2016
Surveying – Field Verification	Jun 1, 2003 to Dec 31, 2011
Geotechnical Investigation	Oct 1, 2013 to Nov 30, 2013
Develop Detailed Plans	Oct 1, 2016 to Apr 30, 2017
TxDOT Review	May 1, 2017 to Aug 31, 2017
Project Letting	September 7, 2017

\* - This schedule is based on the expectations that this project will become an Hidalgo County MPO funded project and that funding for letting project will be available at time plans are completed.

The **Engineer** will diligently pursue the completion of this work authorization as defined by the milestones and deliverable due dates outlined in the approved work schedule. Whenever possible and when it is considered advantageous to the **Owner**, **Engineer** may commence work items prior to the dates outlined in the approved work schedule.

The **Engineer** will inform the **Owner** (in reasonable advance of the delay) should the **Engineer** encounter delays that would prevent the performance of all work in accordance with the established work schedule.

**EXHIBIT "D"**  
**Engineer's Contract Rates**

**OVERHEAD RATE = 2.89**

<b>Position/Title</b>	<b>FY 2012 Hourly Rate</b>	<b>FY 2013 Hourly Rate</b>	<b>FY 2014 Hourly Rate</b>	<b>FY 2015 Hourly Rate</b>	<b>FY 2016 Hourly Rate</b>	<b>FY 2017 Hourly Rate</b>
Principal	\$ 132.27/HR	\$ 138.88/HR	\$ 145.83/HR	\$ 153.12/HR	\$ 160.78/HR	\$ 168.81/HR
Project Manager	\$ 94.48/HR	\$ 99.20/HR	\$ 104.16/HR	\$ 109.37/HR	\$ 114.84/HR	\$ 120.58/HR
Senior Engineer	\$ 68.03/HR	\$ 71.43/HR	\$ 75.00/HR	\$ 78.75/HR	\$ 82.69/HR	\$ 86.83/HR
Engineer	\$ 52.91/HR	\$ 55.56/HR	\$ 58.33/HR	\$ 61.25/HR	\$ 64.31/HR	\$ 67.53/HR
Graduate Engineer	\$ 45.35/HR	\$ 47.62/HR	\$ 50.00/HR	\$ 52.50/HR	\$ 55.12/HR	\$ 57.89/HR
Senior Engineering Tech	\$ 39.32/HR	\$ 41.29/HR	\$ 43.35/HR	\$ 45.52/HR	\$ 47.79/HR	\$ 50.18/HR
CADD-Design Technician	\$ 31.45/HR	\$ 33.02/HR	\$ 34.67/HR	\$ 36.41/HR	\$ 38.23/HR	\$ 40.14/HR
Clerical	\$ 28.73/HR	\$ 30.17/HR	\$ 31.67/HR	\$ 33.26/HR	\$ 34.92/HR	\$ 36.67/HR
Survey Crew (3-man)	\$64.43/HR	\$67.65/HR	\$71.03/HR	\$74.59/HR	\$78.32/HR	\$82.23/HR

# EXHIBIT D1

## Cost Proposal

TASK	CONTRACT AMOUNT	FEE BREAKDOWN			
		PART 1 WORK (2.25 Mi)	PART 2 WORK (2.35 Mi)	PART 3 WORK (2.60 Mi)	PART 4 WORK (2.70 Mi)
<b>PHASE I - PRELIMINARY ENGINEERING</b>					
SURVEYING - SETTING PANELS FOR FLIGHT	\$38,000	\$38,000	\$0	\$0	\$0
SCHEMATIC DESIGN	\$132,300	\$132,300	\$0	\$0	\$0
ENVIRONMENTAL ASSESSMENT	\$95,000	\$95,000	\$0	\$0	\$0
ENVIRONMENTAL ASSESSMENT (Add'l S.A. #4)	\$10,780	\$10,780	\$0	\$0	\$0
PUBLIC HEARING	\$0	\$0	\$0	\$0	\$0
<b>SUB-TOTAL</b>	<b>\$276,080</b>	<b>\$276,080</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>PHASE II - RIGHT-OF-WAY ACQUISITION</b>					
R.O.W. MAP	\$441,000	\$100,364	\$104,824	\$115,976	\$120,436
<b>SUB-TOTAL</b>	<b>\$441,600</b>	<b>\$100,364</b>	<b>\$104,824</b>	<b>\$115,976</b>	<b>\$120,436</b>
<b>PHASE III - PLANS DEVELOPMENT</b>					
SURVEYING - FIELD VERIFICATION	\$0	\$0	\$0	\$0	\$0
GEOTECHNICAL INVESTIGATION	\$30,000	\$6,818	\$7,121	\$7,879	\$8,182
ENGINEERING	\$670,900	\$152,477	\$159,254	\$176,196	\$182,973
<b>SUB-TOTAL</b>	<b>\$700,900</b>	<b>\$159,295</b>	<b>\$166,375</b>	<b>\$184,075</b>	<b>\$191,155</b>
<b>TOTAL LUMP SUM FEE</b>	<b>\$1,418,580</b>	<b>\$535,739</b>	<b>\$271,199</b>	<b>\$300,051</b>	<b>\$311,591</b>

R. Gutierrez Engr Corp  
 Nolana Loop - FM 1426 to FM 88

EXHIBIT "D1"  
 Page 1 of 1