

STATE OF TEXAS           §  
  §  
COUNTY OF HIDALGO   §

**FIRST AMENDEDMENT TO CONTRACT AGREEMENT FOR MATERIAL TESTING SERVICES BEWTEEN HIDALGO COUNTY, TEXAS AND RABA KISTNER CONSULTANTS, INC.**

This **FIRST AMENDMENT TO CONTRACT AGREEMENT FOR MATERIAL TESTING SERVICES** by and between County of Hidalgo Urban County Program ("Client") and **Raba Kistner Consultant, Inc.**, ("Consultant"), effective the \_\_\_\_ day of **JUNE 2014**, is made, as follows:

**WHEREAS**, on March 11, 2014, Client entered into a Professional Engineering Agreement (the "Agreement") with Consultant in which the Consultant would provide "material testing services" for the project known as "South Fork Drain Project Pharr, Texas" (the "Project") as described in the Agreement;

**WHEREAS**, numbered paragraph 7 of Exhibit A to the Agreement provides "our opinion of probable cost for each proposal to be submitted is based upon an estimate of the construction materials observation and testing services required to meet the project requirements";

**WHEREAS**, R. Gutierrez Engineering Corporation, the engineer for the Project, has requested Consultant to determine subsurface conditions along the drainage ditch alignment and to provide recommendations to address the excessive erosion and unstable ditch slopes that have been encountered during construction;

**WHEREAS**, the parties desire to amend the Agreement as hereinafter provided.

**NOW THEREFORE**, for and in consideration of this amendment, Client and Consultant hereby agree to the following amendments to the Agreement:

1. Attachment A to the Agreement is amended by the addition of Exhibit A attached hereto;
2. Attachment B to the Agreement shall be amended by the addition of the lump sum fee of Eleven Thousand Seven Hundred Fifty Seven and 25/100ths Dollars (11,757.25).
3. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect. Consultant and Client ratify and confirm the terms and provisions of the Agreement as amended.

**EXECUTED IN DUPLICATE ORIGINALS** and effective as of the day and year first written above.

**COUNTY OF HIDALGO URBAN COUNTY PROGRAM**

By: \_\_\_\_\_  
Diana R. Serna, UCP Director

**ATTEST:**

By: \_\_\_\_\_  
Arturo Guajardo, Jr., County Clerk

**RABA KISTNER CONSULTANTS, INC.**

By: \_\_\_\_\_

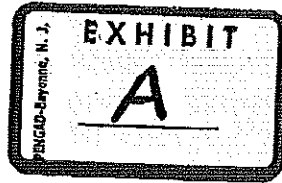
Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

**APPROVED AS TO FORM:**

**ATLAS, HALL & RODRIGUEZ, LLP**

By: \_\_\_\_\_  
Stephen L. Crain, Attorney



**RABA  
KISTNER  
CONSULTANTS**

Proposal No. PMA14-051-00  
June 2, 2014

Raba Kistner  
Consultants, Inc.  
800 E. Hackberry  
McAllen, TX 78501  
www.rkci.com

P 956 :: 682 :: 5332  
F 956 :: 682 :: 5487

TBPE Firm F-3257

Ms. Diana R. Serna, UCP Director  
County of Hidalgo-Urban County Program  
427 E. Duranta Avenue, Suite 107  
Alamo, Texas 78516

JUN -4 2014

OR

Re: Proposal for Geotechnical Engineering Services  
Proposed Southfork Drainage Lateral Improvements Project  
Between South "I" Road and Anaya Road  
Pharr, Hidalgo County, Texas

Dear Ms. Serna:

On the basis of the documents received by our office from the representatives of R. Gutierrez Engineering Corporation, the project's consulting engineering firm, throughout the week of May 11, 2014, we have been asked to provide Geotechnical Engineering Services for the above-referenced project. On the basis of the telephone conversation held on Monday, June 2, 2014 between Mr. Tony Barco with County of Hidalgo-Urban County Program and Mr. Dennis Charkow with our office, and the executed Contract Agreement for Material Testing Services between County of Hidalgo-Urban County Program and Raba Kistner Consultants, Inc. (RKCI), dated March 11, 2014, we have been asked to submit this proposal to County of Hidalgo-Urban County Program (CLIENT) for the above-referenced project.

The broad objectives of our study will be to determine subsurface conditions along the drainage ditch alignment and to provide recommendations to address the excessive erosion and unstable ditch slopes that have been encountered during the construction that is in progress. Described in this letter are:

- our understanding of currently perceived project characteristics;
- our proposed scope for field and laboratory study;
- our proposed scope for engineering evaluation and reporting;
- our tentative project schedule; and
- our project lump sum fee.

#### PROJECT DESCRIPTION

We understand that the project consists of the design and reconstruction of a new, about 5-ft deep and 2-mile long, drainage ditch located between South "I" Road and Anaya Road in Pharr, Hidalgo County, Texas. On the basis of the information provided to us by the project's consulting engineering firm, we understand that during the construction operations, the representatives of FJW Construction, the project's General Contractor, observed the banks of the ditch caving in along its drainage ditch alignment located between Hilline Road and Anaya Road. As a result, we understand that the construction operations have been put on hold within this area.

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**FIELD STUDY**

On the basis of the information provided to us by the project's consulting engineering firm, geologic evidence, and our past experience with subsurface conditions at this site, we propose to conduct the following drilling scheme along the existing drainage alignment:

| Drainage Ditch Alignment            | Number of Borings ** | Depth, ft. * |
|-------------------------------------|----------------------|--------------|
| Between Anaya Road and Hilline Road | 6                    | 20           |
| Hilline Road and South "I" Road     | 8                    | 20           |

\* below the existing ground surface elevation, or auger refusal, whichever occurs first.

\*\* please note that the borings will be located at the top of the bank (at about the existing natural ground surface elevation)

Borings will be located in the field utilizing tape and right angle measurements from existing benchmarks. Our scope of services does not include surveying of the boring locations. However, RKC recommends that the final boring locations be surveyed in the field by the CLIENT.

Samples will be taken using conventional split-spoon and/or Shelby tube sampling techniques in general accordance with applicable American Society for Testing and Materials (ASTM) standards. Representative portions of the samples will be sealed, identified, packaged, and transported to our laboratory for subsequent testing and classification.

Upon completion of the drilling activities; water level readings, if applicable, will be recorded in the open boreholes and the boreholes will be backfilled using cement-bentonite grout mix.

**LABORATORY STUDY**

Upon completion of the subsurface exploration, a general testing program will be designed to define the classification and shrink/swell characteristics of the subsurface conditions. The testing program is anticipated to include water content determinations, Atterberg limits (plasticity) tests, and grain size analyses. The laboratory testing will be performed in general accordance with applicable ASTM standards.

**ENGINEERING ANALYSIS AND REPORT**

The field and laboratory phases of the study will be reviewed by our staff of engineers. The results of our review, together with the supporting field and laboratory data, will be presented in a written, engineering report. Included therein will be geotechnical information to be used by others in the design and construction of the drainage lateral alignment. The Geotechnical Engineering Report may also include the following information and recommendations:

- A summary of the field and laboratory sampling and testing program;
- Boring logs and laboratory testing results;



June 2, 2014

- A review of the general site conditions including a description of the site, the subsurface stratigraphy, groundwater conditions, and the presence and condition of fill materials, if encountered; and
- Recommendations to address the excessive erosion and unstable ditch slopes that have been encountered during the construction that is in progress.

The final report will be reproduced in three, spirally-bound copies.

#### TENTATIVE PROJECT SCHEDULE

Based on our present workload and weather permitting, it is anticipated that the field exploration phase of this study can begin within three working days of receiving written authorization to proceed, provided that the site is accessible to our truck-mounted drill rigs, and all available information regarding existing utilities and below-grade structures on site. The field exploration and laboratory testing phases of the study are expected to take approximately twelve working days to complete. The engineering report will be submitted within an additional ten working days following completion of the laboratory testing. The above schedule does not account for delays due to inclement weather. We will be pleased to provide the design team with verbal design information as the data becomes available.

#### LUMP SUM COST

The total lump sum cost for the study outlined herein is \$11,757.25. Should unusual subsurface conditions be encountered in the field that indicate the desirability of significantly broadening the scope of the study, we will contact you to receive written authorization before proceeding with any additional work. Additional services will be billed on a unit basis in accordance with our standard fees as indicated on the attached Schedule of Fees for Professional Services.

RKCI has been provided with the site plans of the location of the drainage alignment. It is our understanding that access to all boring locations for a conventional, truck-mounted drilling rig and underground utility clearance will be provided by the CLIENT prior to our field exploration services.

It should be noted that our study scope (and project cost) do not include plan review or earthwork and excavation observations during the construction of the project. However, plan review and construction observation costs should be included in the project budget.

It should also be noted that our study scope (and project cost) do not include professional time or travel expenses for participation in design team meetings. If these services are required, they will be billed at our standard billing rates for professional time plus expenses.

#### ACCEPTANCE

We appreciate the opportunity of submitting this proposal and look forward to working with the County of Hidalgo-Urban County Program in the development of this project, which will be carried out in accordance with this letter and the executed contract between County of Hidalgo-Urban County Program and RKCI.

Proposal No. PMA14-051-00  
June 2, 2014

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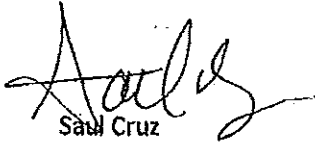
Please return one signed original of this document to provide written authorization for our firm to perform the services outlined herein.

RKCI considers the data and information contained in this proposal to be proprietary. This statement of qualifications and any information contained herein shall not be disclosed and shall not be duplicated or used in whole or in part for any purpose other than to evaluate this proposal.

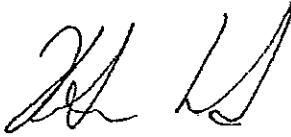
Very truly yours,

**RABA KISTNER CONSULTANTS, INC.**

Accepted By: \_\_\_\_\_  
(Signature)

  
Saul Cruz  
Graduate Engineer

\_\_\_\_\_  
(Typed or Printed Name)

  
Katrin M. Leonard, P.E.  
Associate

\_\_\_\_\_  
(Title)

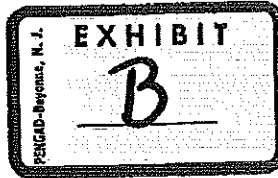
Copies submitted: Above (2)

SC/KML

Attachment I

\_\_\_\_\_  
(Date)





JUN -4 2014

*OK*

**GEOTECHNICAL ENGINEERING STUDY**

ESTIMATE WORKSHEET FOR: Southfork Drainage Lateral Improvement - Pharr, Texas

Date: Monday, June 02, 2014

TO: Hidalgo County Urban County Program PROPOSAL NO.: PMA14-061-00  
427 E. Duranta Avenue, Suite 107  
Alamo, Texas 78516

ATTN: Ms. Diana R. Serna, Director

|                | Number | Depth | Soil | Rock | Soil |
|----------------|--------|-------|------|------|------|
| Drainage Ditch | 14     | 20    | 20   | 0    |      |
|                |        |       |      | 0    |      |
|                |        |       |      | 0    |      |
|                |        |       |      | 0    |      |
|                |        |       |      | 0    |      |
|                |        |       |      | 0    |      |
| Totals         |        |       |      | 0    |      |

**FIELD OPERATIONS**

Mobilization of Drill Rig  
 Drilling/Sampling 0 to 50 ft  
 Trip Charge 4 trip at 20 miles  
 Field Coordination  
 Boring Layout & Travel Time  
 Logger

|  | QUANTITY | UNIT PRICE | TOTAL      |
|--|----------|------------|------------|
|  | 1 l.s.   | \$226.25   | \$226.25   |
|  | 280 l.f. | \$11.50    | \$3,220.00 |
|  | 80 mile  | \$1.00     | \$80.00    |
|  | 1 hrs.   | \$110.00   | \$110.00   |
|  | 3 hrs.   | \$47.75    | \$143.25   |
|  | 25 hrs.  | \$47.75    | \$1,193.75 |

Field Operations Subtotal: **\$4,972.26**

**LABORATORY TESTS**

Atterberg Limits (PI)  
 Minus 200-mesh Sieve  
 Moisture Content

|  | QUANTITY | UNIT PRICE | TOTAL      |
|--|----------|------------|------------|
|  | 28 ea.   | \$81.50    | \$2,282.00 |
|  | 28 ea.   | \$56.00    | \$1,540.00 |
|  | 98 ea.   | \$10.25    | \$1,004.50 |

Laboratory Testing Subtotal: **\$4,826.50**

**ENGINEERING AND REPORT**

Jr. Geotechnical Engineer (EIT)  
 Geologist  
 Drafting  
 Secretary/Word Processor (NS)

|  | QUANTITY | UNIT PRICE | TOTAL      |
|--|----------|------------|------------|
|  | 2 hrs.   | \$110.00   | \$220.00   |
|  | 9 hrs.   | \$167.00   | \$1,503.00 |
|  | 1 hrs.   | \$88.50    | \$88.50    |
|  | 3 hrs.   | \$49.00    | \$147.00   |

Engineering and Report Writing Subtotal: **\$1,958.50**

**TOTAL: \$11,757.26**

