

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

SUPPLEMENTAL AGREEMENT NO. 1
TO WORK AUTHORIZATION NO. 4
TO AGREEMENT FOR PROFESSIONAL SERVICES
C-15-097-03-17

THIS SUPPLEMENTAL AGREEMENT is made pursuant to the terms and conditions of paragraph 6 of the Agreement made by and between **HIDALGO COUNTY**, acting herein by and through the **Commissioner's Court**, hereinafter called the "**Owner**", and **L&G Consulting Engineers, Inc. d/b/a L&G Engineering**, Professional Engineers of Mercedes, Texas, hereinafter called the "**Engineer**".

WITNESSETH

WHEREAS, the **Owner** and the **Engineer** executed the **Agreement** on the 17th day of March, 2015 concerning Engineering for On-Call Services for "Road and Bridge, C.I.P. and Other Projects in General" hereinafter referred to as the ("**Project**"); and,

WHEREAS, Paragraph 6 of the **Agreement**, (Amendments), establishes "if it becomes necessary at any time during this Agreement to change the Scope of Services, the Agreement period, the maximum amount payable, the complexity, or the character of this Agreement, an amendment shall be executed by use of a (Supplemental Agreement Form)"; and,

WHEREAS, it has become necessary to amend "Exhibit B – Services to be provided by the Engineer" of Work Authorization No. 4 to add additional environmental services needed for environmental clearance of the Project.

WHEREAS, it has become necessary to amend "Exhibit D – Fee Proposal" of Work Authorization No. 4 to increase the original Work Authorization amount of **\$230,275.08** to **\$339,974.68**; therefore the amount of **Supplemental No. 1 is \$109,699.60.**

A. AGREEMENT

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

I. Sections of the Agreement, EXHIBIT "B" – SERVICES TO BE PROVIDED BY THE ENGINEER and EXHIBIT "D" – FEE PROPOSAL, are revised to reflect the above listed modifications of this Supplemental.

All other provisions are unchanged and remain in full force and effect.

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 _____, 2016.

**THE ENGINEER:
L&G Engineering**

BY: _____

Jacinto Garza, P.E., President
Address for Giving Notices:

2100 West Expressway 83

Mercedes, TX 78570

**THE OWNER:
HIDALGO COUNTY**

BY: _____

Ramon Garcia, County Judge

LIST OF ATTACHMENTS

Exhibit D – Fee Schedule

EXHIBIT B

Scope of Services to be provided by the Engineer

SECTION 4 SOCIAL, ECONOMIC AND ENVIRONMENTAL STUDIES AND PUBLIC INVOLVEMENT (Function Code 120)

Services
Provided By:
ENGINEER COUNTY

- | | | | |
|----|--|-----------------------|--|
| 1. | Environmental Reports | | All Environmental Reports shall be in accordance with 43 Texas Administrative Code (TAC) 2.40-2.51, Code of Federal Regulations, Title 23, Part 771 and Highway Design Operations and Procedures Manual, Part II-B. |
| | a. Environmental Assessments | <u>N/A</u> <u>N/A</u> | (1) An Environmental Assessment shall be prepared, anticipating a Categorical Exclusion. |
| | | <u>YES</u> <u>N/A</u> | (2) An Environmental Assessment shall be prepared, anticipating a Finding of No Significant Impact. |
| | | <u>N/A</u> <u>N/A</u> | (3) An Environmental Assessment shall be prepared, anticipating the need for a Draft Environmental Impact Statement. |
| | b. Environmental Impact Statement | <u>N/A</u> <u>N/A</u> | (1) A Draft Environmental Impact Statement shall be prepared. After appropriate interagency and public reviews within time limits prescribed by the Code of Federal Regulations, Title 23, Part 771 and 43 Texas Administrative Code 2.40-2.51, a Final Environmental Impact Statement shall be prepared. |
| | | <u>N/A</u> <u>N/A</u> | (2) A Section 4(f) Statement (Department of Transportation Act) shall be provided by the ENGINEER. The format and content of the statement is found in FHWA Technical Advisory T6640.8A. |
| 2. | Public Involvement | | All public involvement procedures shall be in accordance with 43 Texas Administrative Code (TAC) 2.40-2.51, Code of Federal Regulations Title 23, Part 771 and Highway Design Operations and Procedures Manual, Part II-B. |
| | a. A public involvement meeting(s)/hearing(s) shall be scheduled, coordinated and conducted.* | <u>YES</u> <u>N/A</u> | |
| | b. Technical assistance, meeting(s)/hearing(s) preparation, maintenance of contracts lists, minutes of meeting(s), exhibit preparation, and other tasks outlined by the COUNTY, shall be provided. | <u>YES</u> <u>N/A</u> | |
| 3. | Cultural Resources | | Formal consultation with the State Historic Preservation Office (SHPO) and the Texas Historical Commission (THC) will be conducted by the COUNTY. |
| | a. Historic Structure Studies | <u>N/A</u> <u>N/A</u> | The existing historical report survey report shall be updated to 1975 cut-off data to include the HCID#2. |
| | b. Archeological Studies | <u>N/A</u> <u>N/A</u> | (1) Files searches shall be conducted to determine if known archeological sites are present; to identify whether these sites have been listed or determined eligible for the National Register of Historic Places or have been designated State Archeological Landmarks; and to identify the need (if any) to perform additional archeological investigations. |
| | | <u>N/A</u> <u>N/A</u> | (2) Archeological reconnaissance will be performed under a Texas Antiquities Permit (13 TAC 26) signed for the Sponsor by a professional archeologist with the STATE. |
| | | <u>N/A</u> <u>N/A</u> | (3) Archeological survey shall be performed under a Texas Antiquities Permit (13 TAC 26) signed for the Sponsor by a professional archeologist with the STATE. |

EXHIBIT B

Scope of Services to be provided by the Engineer

Services
Provided By:
ENGINEER COUNTY

- | | | |
|------------|------------|--|
| <u>YES</u> | <u>N/A</u> | <p>4. Noise and Air Quality Analyses</p> <p>a. Noise Analysis</p> <p>A noise analysis shall be prepared, including predicted noise levels and the consideration and evaluation of noise mitigation, in accordance with the STATE'S Noise Guidelines. The noise analysis or a summary of the noise analysis shall be provided as a Technical Report and results included in the administratively complete document.</p> |
| <u>N/A</u> | <u>N/A</u> | <p>b. Air Quality Analysis</p> <p>An air quality analysis shall be prepared in accordance with the STATE'S Air Quality Guidelines. The air quality analysis or a summary of the air quality shall be provided as a Technical Report and results included in the administratively complete document for the project.</p> |
| <u>N/A</u> | <u>N/A</u> | <p>5. Hazardous Materials</p> <p>The consultant shall perform an Initial Site Assessment (ISA) for hazardous materials impact in accordance with the American Society for Testing and Materials (ASTM) 1528.93 (Transaction Screen Process) and a GeoSearch data search shall be conducted.</p> |
| <u>YES</u> | <u>N/A</u> | <p>6. General Guidelines for Preparation of Environmental Documents</p> <p>a. The Biological Impact Evaluation Report will be prepared which will include water resources, threatened and endangered species, etc. and submitted electronically to TxDOT, and coordination with TCEQ will be determined.</p> <p>b. An ICI Technical report will be prepared.</p> <p>c. A Community Impacts report will be prepared.</p> <p>d. At least 10 Exhibits will be revised.</p> <p>e. The existing EA will be revised and updated to include updated technical reports, and will be submitted to TxDOT electronically through their FTP site.</p> <p>f. The revised EA document will be prepared in accordance with the content and format of FHWA Technical Advisory T6640.8A and the TxDOT Administrative Code 43 TAC §2.44.</p> <p>g. The revised EA document will be submitted to TxDOT electronically through their FTP site.</p> <p>h. Upon completion and approval of the administratively and technically complete document, the Engineer will provide one (1) hard copy to the Client, one (1) hardcopy to the district, and (3) hardcopies to TxDOT ENV.</p> <p>i. Exhibits in the environmental document shall be color copies and text shall be black and white.</p> |

EXHIBIT D
ESTIMATED MAN-HOUR BREAKDOWN

On-Call Services for "Road and Bridge, C.I.P. and Other Projects in General"
 Nolana Loop Revise Environmental Assessment

	MANHOURS								Sub-Contract Amounts	TOTAL LINE ITEM COST
	Senior Project Manager	Senior Engineer	Senior Environmental Planner /Specialist	Senior Engineering Tech	CADD Operator / GIS Analyst	Admin/ Clerical	TOTAL HOURS			
CONTRACT RATE	224.58	186.66	157.21	96.25	70.58	64.17				
SUPPLEMENTAL TO ENVIRONMENTAL ASSESSMENT UPDATE										
<i>Nolana Loop Project</i>										
1	Scope Development Tool + Exhibits & Kick-off Meeting w/TxDOT	6	6	8	39	6	3	68		\$ 8,094.86
2	Develop New Purpose and Need as per TxDOT ENV			6	39	6	0	51		\$ 5,120.49
3	Classification Letter & Address Comments from TxDOT/ENV			11	110	11	6	138		\$ 13,478.21
4	Biological Form-Review & Update			0	22	3	0	25		\$ 2,329.24
5	Water Resources Technical Report, USACE Coord, Sect 4(f) Deminimus			0	33	3	0	36		\$ 3,387.99
6	Noise Analysis @ Intersections as per email dated 2/12/16			14	67	33	0	114		\$ 10,978.83
7	Administratively Complete Document & Address Com TxDOT/ENV			0	56	0	6	62		\$ 5,775.02
8	Preparation of FONSI & Address Comments from TxDOT/ENV			11	110	22	6	149		\$ 14,254.59
9	Public Involvement (Public Meeting) & Summary & Analysis			56	110	27	56	249		\$ 24,890.44
10	QA/QC of Administratively Complete Document			33	0	0	0	33		\$ 5,187.93
11	Mgmt Bi-Monthly Coordination w/TxDOT (2hrs ea for 18 mths)			50	50	50	0	150		\$ 16,202.00
SUB-TOTAL		6	6	189	636	161	77	1075	\$ -	\$ 109,699.60
Sub-Total Manhours Fee:									\$	109,699.60

TOTAL PROJECT FEE:	\$ 109,699.60
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