



June 2, 2016

Mr. Armando Garza, Jr., Chief Administrator
Attn: Ms. Erika Zamora, Director of Administrative Operations
Hidalgo County Precinct No. 2
300 West Hall Acres
Pharr, Texas 78589

RE: Pct 2 Regional Linear Park Project (C-15-046-03-03)
Supplemental No. 1 to Work Authorization No. 4

Dear Mr. Garza,

Attached for your review and approval is Supplemental No. 1 to Work Authorization No. 4 for the subject referenced project (Contract: C-15-046-03-03). This submittal is made to you in duplicate form for your further coordination with Commissioner Cantu.

A detailed description of the work to be provided under this supplemental is included in the attached Exhibit B.

Should you have any questions, please feel free to give me a call at (956) 585-1909.

Sincerely,

David A. Saenz, P.E., C.F.M.
Project Manager

cc: Mr. Jacinto Garza, P.E. – L&G Engineering

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

**SUPPLEMENTAL AGREEMENT NO. 1
TO WORK AUTHORIZATION NO. 4
TO AGREEMENT FOR PROFESSIONAL SERVICES
C-15-046-03-03**

This **SUPPLEMENTAL AGREEMENT** is made pursuant to the terms and conditions of Article 8 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 “**Engineer**”.

WITNESSETH

WHEREAS, the **Owner** and the **Engineer** executed the **Agreement** on the 3rd day of March 2015 concerning engineering for the **Regional Linear Park Project** (hereinafter referred to as the “**Project**”); and,

WHEREAS, Article 8 of the **Agreement**, (Supplemental Agreements), establishes that the terms of this Agreement may be amended by supplemental agreement if the Owner determines that [...] (2) there has been a significant change in the scope, complexity or character of the services to be performed by the **Engineer**; 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 the Project; and,

WHEREAS, it has become necessary to amend “Exhibit D – Fee Proposal” of Work Authorization No. 4 to increase the original Work Authorization amount of **\$569,547.12** to **\$604,582.64**; therefore the amount of **Supplemental No. 1 is \$35,035.52.**

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:
ENGINEER**

BY: _____

**THE OWNER:
HIDALGO COUNTY**

BY: _____

Ramon Garcia, County Judge

LIST OF ATTACHMENTS

Exhibit B

Exhibit D

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:		
<u>ENGINEER</u>	<u>COUNTY</u>	
		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.
<u>YES</u>	<u>NO</u>	a. Environmental Assessments
		(1) An Environmental Assessment shall be prepared, anticipating a Categorical Exclusion.
<u>N/A</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.
<u>YES</u>	<u>NO</u>	a. A public involvement meeting(s)/hearing(s) shall be scheduled, coordinated and conducted.
<u>YES</u>	<u>NO</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.
		3. Cultural Resources (Phase I) Formal consultation with the State Historic Preservation Office (SHPO) and the Texas Historical Commission (THC) will be conducted by the COUNTY.
<u>N/A</u>	<u>N/A</u>	a. Historic Structure Studies A records search and reconnaissance survey shall be performed, and documentation prepared regarding identification efforts, National Register eligibility and potential impacts to historic properties in accordance with the state’s historic structure requirements.
		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>N/A</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 included in the environmental document for the project.</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 included in the environmental document for the project.</p> |
| <u>YES</u> | <u>NO</u> | <p>5. Ecological Investigations</p> <p>A wetland survey and if necessary, a wetland delineation shall be conducted and a “wetland finding” shall be provided if necessary. As part of the environmental phase of the project, the consultant should notify the District if it is believed that a Section 404 or Section 9 permit is required, and provide the technical data to the District for application to the U.S. Army Corps of Engineers and/or the U.S. Coast Guard.</p> <p>A determination should be made if there are potential federally listed endangered or threatened species that could be impacted. The District will be notified as soon as possible that Section 7 or 10 consultations may be required. Supporting data will be furnished to the district when consultation with the U.S. Fish and Wildlife Service is undertaken.</p> |
| <u>YES</u> | <u>NO</u> | <p>6. Hazardous Materials</p> <p>The consultant shall perform an Environmental Site Assessment for hazardous materials impact in accordance with the American Society for Testing and Materials (ASTM) 1528.93 (Transaction Screen Process).</p> |
| <u>YES</u> | <u>NO</u> | <p>7. General Guidelines for Preparation of Environmental Documents</p> <p>a. All technical reports will be submitted electronically to TxDOT through their FTP site.</p> <p>b. The CE Determination Form will be submitted to TxDOT electronically.</p> <p>c. The CE Determination Form will be prepared in accordance with the content and format of 23CFR771.117(c) and the TxDOT Administrative Code 43 TAC §2.81.</p> <p>d. The CE Determination packet will be submitted to TxDOT electronically through their FTP site.</p> <p>e. Upon completion and approval of the CE, the Engineer will provide one (1) hard copy to the Client. All copies to TxDOT will be digital.</p> <p>f. Exhibits in the environmental document shall be color copies and text shall be black and white.</p> <p>g. Exhibits in the environmental document shall be color copies and text shall be black and white.</p> |

**EXHIBIT D
FEE PROPOSAL**

**Pct 2 Regional Linear Park Project
HIDALGO COUNTY PRECINCT #2**

		MANHOURS									Total Line Item Cost
		Senior Project Manager	Senior Engineer	Project Engineer	Senior Engineering Technician	Senior Environmental Scientist	ROW Administrator	Senior Environmental Scientist	Environmental Scientist	Admin / Clerical	
TASK											
Supplemental #1 to WA #4 - Pct 2 Regional Linear Park Project Additional Environmental Services											
1	Environmental Document with TxDOT				200				56	256	\$ 35,035.52
Subtotal Hours		0	0	0	200	0	0	0	56	256	
Hourly Base Rate		\$ 70.00	\$ 58.00	\$ 43.00	\$ 30.00	\$ 49.00	\$ 34.00	\$ 43.00	\$ 25.00	\$ 20.00	
FY 16 Contract Hourly Rate w/ OH Mult. (178.12%) & Fixed Fee (12.00%)		\$ 224.58	\$ 186.08	\$ 137.96	\$ 96.25	\$ 157.21	\$ 109.08	\$ 43.00	\$ 25.00	\$ 64.17	
Total Labor Costs		\$ -	\$ -	\$ -	\$ -	\$ 31,442.00	\$ -	\$ -	\$ -	\$ 3,593.52	\$ 35,035.52

Grand Total **\$ 35,035.52**