

STATE OF TEXAS §

COUNTY OF HIDALGO §

**SECOND AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT  
BETWEEN HIDALGO COUNTY, TEXAS AND HIDALGO COUNTY DRAINAGE  
DISTRICT NO. 1**

This Second Amendment to Interlocal Cooperation Agreement ("Second Amendment") is made on this the \_\_\_\_\_ day of \_\_\_\_\_, 2018 by and between Hidalgo County, Texas acting by and through its Urban County Program hereinafter referred to as the "Program" and Hidalgo County Drainage District No. 1 hereinafter referred to as the "District", as follows:

**WITNESSETH:**

**WHEREAS**, Program and District entered into that certain Interlocal Cooperation Agreement by and between Program and District dated December 5, 2017 (the "Agreement") regarding the improvement of the Penitas Lateral drainage ditch;

**WHEREAS**, Program and District executed that certain First Amendment to Interlocal Cooperation Agreement between Hidalgo County, Texas and Hidalgo County Drainage District No. 1 dated February 20, 2018; and

**WHEREAS**, the parties desire to amend the Agreement to provide for additional purchase of materials and labor for the Penitas Lateral drainage ditch.

**NOW, THEREFORE**, for and in consideration of the mutual obligations of the parties herein and other good and valuable consideration the receipt of which hereby acknowledged, the District and County hereby mutually agree to the following:

1. The following sentence shall be added to Numbered paragraph 1 of the Agreement:

Drainage District shall within ten (10) days following the date of the last party to execute this Second Amendment contribute the sum of Two Hundred Twenty Three Thousand Nine Hundred Two and no one hundredths Dollars (\$223,902.00) to Program to be utilized by Program solely for additional material and labor and to increase the days for the work by ninety (90) days, such materials, labor and days increase of the Penitas Lateral as shown by Exhibit A attached hereto.

2. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect and County and District 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.

**HIDALGO COUNTY DRAINAGE DISTRICT  
NO. 1**

By: \_\_\_\_\_  
Ramon Garcia, Board Chairman

**HIDALGO COUNTY, TEXAS**

By: \_\_\_\_\_  
Ramon Garcia, County Judge

**ATTEST:**

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

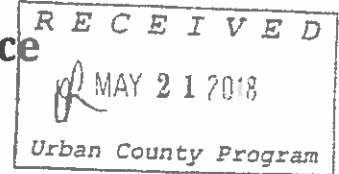
**APPROVED AS TO FORM:**

ATLAS, HALL & RODRIGUEZ, LLP

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



**Texas General Land Office  
Disaster Recovery**



**Construction Contract Change Order Request Form**

<b>Engineer:</b> <b>Javier Hinojosa Engineering</b> <b>416 E. Dove Ave.</b> <b>McAllen, TX 78504</b>  <b>Phone No.:</b> <b>(956) 668-1588</b>	<b>Owner (Contractor Locality):</b> <b>Hidalgo County Urban County Program</b> <b>427 E. Duranta Ave, Ste 107</b> <b>Alamo, TX 78516</b>  <b>Phone No.:</b> <b>(956) 787-8127</b>	<b>Contractor:</b> <b>Saenz Brothers Con. LLC</b> <b>3226 N Victoria Rd.</b> <b>Donna, TX 78537</b>  <b>Agreement Date:</b> <b>9/12/2017</b>  <b>Phone No.:</b> <b>(956) 464-3400</b>
<b>Date: May 21, 2018</b> <b>Project Code No.:</b>  <b>Bid Package No.:</b> <b>6540-60-0309-5200-6000-UCP-ET</b>	<b>Contract For (Project Description):</b> <b>Hidalgo County Precinct No. 3</b> <b>GLO Flood &amp; Drainage</b> <b>Improvements Project known</b> <b>as the Penitas Drain Phase I</b> <b>Round 2.1</b>	<b>GLO Contract No.:</b> <b>6540-60-0309-5200-6000-UCP-ET</b>  <b>Change Order No.: 2</b>

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Description of Changes: Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc.	Decrease in Contract Price	Increase In Contract Price
1	60" Manhole (Labor Only) 7 EA @ \$3,100.00		\$21,700.00
2	30" RCP 48" Jack and Bore Under Canal 67 LF @ \$400.00		\$26,800.00
3	30" RCP Class III (Labor Only) 4453 LF @ \$33.00		\$146,949.00
4	Junction Box (12X10) (Materials Included) 1 EA @ \$15,500.00		\$15,500.00
5	Trench Protection 4453 LF @ \$1.00		\$4,453.00
6	Concrete Rip-Rap (Materials Included) 10 CY LF @ \$350.00		\$3,500.00
7	Traffic Control 1 Lump Sum @ \$5,000.00		5,000.00
	<b>TOTAL</b>		<b>\$223,902.00</b>

<u>Change in Contract Price</u>	<u>Change in Contract Time (Calendar Days)</u>
Original Contract Price: <b>\$952,250.00</b>	Original Contract Time: <b>150</b> days
Previous Change Order(s): No. 1 to No. 1 <b>\$0.00</b>	Net Change From Previous Change Orders: <b>1</b> <b>45</b> days
Contract Price Prior to this Change Order: <b>\$952,250.00</b>	Contract Time Prior to this Change Order: <b>195</b> days
Net Increase/Decrease of this Change Order: <b>\$223,902.00</b>	Net Increase/Decrease of this Change Order: <b>90</b> days
Contract Price With all Approved Change Orders: <b>\$1,176,804.00</b>	Contract Time With all Change Orders: <b>285</b> days
Cumulative Percent Change in Contract Price (+/-): <b>23.51%</b>	Grantee Contract End Date: (mm/dd/yy) <b>12 / 31 / 2018</b>
Construction Contract Start Date: (mm/dd/yy) <b>11 / 13 / 2017</b>	Construction Contract End Date: (mm/dd/yy) <b>08 / 18 / 2018</b>

Reimbursements of costs included in this change order are subject to review by the GLO-DR program.  
 \* This document may be executed prior to submission for GLO-DR program review, but all parties involved will be held responsible if the change order or the amendment warranted as a result of this change order is not in compliance with CDBG or HUD requirements.

RECOMMENDED:

By: 

ENGINEER

JAVIER HINOJOSA, P.E.

Date: 5/21/18

APPROVED:

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

OWNER

RAMON GARCIA

HIDALGO COUNTY JUDGE

Date: \_\_\_\_\_

ACCEPTED:

By: 

CONTRACTOR

FERNANDO SAENZ

Date: 5/21/18

**JUSTIFICATION FOR CHANGE**

1. Will this Change Order increase or decrease the number of beneficiaries?	<input type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input checked="" type="checkbox"/> No Change
If there is a change, how many beneficiaries will be affected?		Total ____	L/M ____
2. Effect of this change on scope of work:	<input checked="" type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input type="checkbox"/> No Change
3. Effect on operation and maintenance costs:	<input checked="" type="checkbox"/> Increase	<input type="checkbox"/> Decrease	<input type="checkbox"/> No Change
4. Are all prices in the change order dependent upon unit prices found in the original bid?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If "No", explain: <b>This change is a change in scope of work for additional construction (labor only) for installation of 30" drain lines.</b>			
5. Has this change created new circumstances or environmental conditions which may affect the project's impact, such as concealed or unexpected conditions discovered during actual construction?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If "Yes", is an Environmental Re-assessment required?			
6. Is the Texas Commission on Environmental Quality (TCEQ) clearance still valid? (if applicable)		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
7. Is the TCEQ permit approval still valid? (sewer projects only)	N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8. Are the handicapped access requirements/approval still valid? (if applicable)	N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
9. Are other Disaster Recovery contractual special condition clearance still valid?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(If no, specify):			

**NOTE:**

\* Generally, a cumulative change in the contract price in excess of 25% cannot be reviewed (18% **decrease** for counties).

