

STATE OF TEXAS §

COUNTY OF HIDALGO §

**AMENDMENT#2  
TO AIA B133-2014  
STANDARD FORM OF AGREEMENT BETWEEN OWNER AND ARCHITECT,  
C-18-025-11-20**

This AMENDMENT to the AIA Document B133-2014, between Rike Ogden Figueroa Allex, Architects, Inc. (“the Architect”) and **HIDALGO COUNTY, TEXAS** (“Owner”), effective 24th day of March, 2020, is made between the Architect and the Owner, (the “Amendment”), as follows:

**WHEREAS**, Architect and Owner executed the AIA Document B133-2014, between Architect and the Owner on November 20, 2018, in which the Architect agreed to provide professional services for Design and Construction of Hidalgo County Services Facilities and Justice Center located at 1212 South 25<sup>th</sup> Street, Edinburg, Texas (the “Agreement”);

**WHEREAS**, due to a change in circumstances the Architect and Owner have agreed to modify the original scope of services to be provided by the Architect for Design and Construction of Hidalgo County Services Facilities and Justice Center to remove the construction of the Hidalgo County Services Facilities which it includes the reduction of the scope of work and the Architect’s fees. Added to the services is to include Landscape Design as described more fully below; and

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

**NOW THEREFORE**, for and in consideration of the terms and provisions set forth herein, for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner and Architect hereby agree to the following amendment to the Agreement.

1. The scope of services in the Agreement is modify, and shall be provided, as described in Exhibits A-1 to this Amendment.
2. The Agreement is revised to show the change in the Project name from “Hidalgo County Services Facilities and Justice Center,” to “Hidalgo County Precinct No. 4 Justice Center.”
3. Except as modified herein, all terms and conditions of the Agreement, as amended by this Amendment, remain in full force and effect and Architect and Owner ratify and confirm the terms and provisions of the Agreement, as amended by this Amendment herein.

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

**HIDALGO COUNTY, OWNER**

**RIKE-OGDEN-FIGUEROA-  
ALLEX ARCHITECS, INC.**

\_\_\_\_\_  
Richard F. Cortez, County Judge

\_\_\_\_\_  
Michael E. Allex, AIA Principal  
and Vice President

**ATTEST:**

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

**APPROVED AS TO FORM:**  
Hidalgo County Criminal District Attorney's Office

By: \_\_\_\_\_  
Josephine Ramirez Solis, Assistant Criminal District Attorney  
Chief-Civil Division

# EXHIBIT A-1



rike  
ogden  
figueroa  
allex

March 19, 2020

Ms. Glinda Pacheco – Analyst III  
Ms. Rocio Villarreal – Contract Specialist III  
Hidalgo County, Texas  
2812 South Business Highway 281  
Edinburg, Texas 78539

Re: Hidalgo County Precinct #4 Justice Center  
Professional Services Proposal

Ms. Pacheco and Ms. Villareal,

First of all, please allow me this opportunity to thank you and The County for allowing our firm the opportunity to again work with you.

Per your request, the following is a revised proposal delineating the revised scope of work & fee in order to amend Exhibit A-1 of the current contract for Amendment# 2. It is based upon our understanding that County will not be constructing the County Services facility at this time.

## **Background Information about The Site and Project**

The project site is immediate north of The Hidalgo County Health Department Building on the east side of Expressway 218 in Edinburg. The site currently has a vacant 5,000 sf building that will be demolished as part of this construction contract. The County has procured an Asbestos Survey for this building and it has be given to the Architect. The project site is made up of 2 immediately adjacent properties. The frontage property is approximately 5.1 acres and the rear property is approximately 1.5 acres. Total acreage is approx. 6.6 acres. The County will procure a new survey of the property.

The County would like a The Justice Center on this site. A County approved floor plan is attached to give a scope of the project.

## **Understandings and Assumptions:**

### **Justice Center (approx. 12,459 sf)**

- Precinct 4 Constable
- Justice of the Peace Courtroom
- JP Offices 1
- JP Office 2
- Secure parking

At the County's request, the design of The Justice Center should closely emulate The Justice Center for Precinct 2.

### **Design and Engineering Services that are not part of this fee proposal and can be procured as an additional service are:**

- Programming (not required)
- Commercial Kitchen Design (not required)
- Windstorm Certification (required)
- Acoustical Design (not required)
- Hazardous Material Abatement (unknown at this time)

### **Design and Engineering Service procured by The County that are not part of this fee proposal:**

- Site Survey and Platting (Mariano Garcia, PE has been procured to perform this work)
- Geotechnical and Materials Testing (Millennium Engineering has been procured to perform this work)

### **This fee proposal includes the following design and engineering services:**

- Architectural
- Structural
- Mechanical, Electrical and Plumbing (MEP)
- Landscape design under our contract but billed as an additional service, not a basic service (direct reimbursable)
- Civil Engineering Design under our contract but billed as an additional service, not a basic service (direct reimbursable)

Our proposed basic fee for the above-mentioned project is 6.5 % of the total construction cost. This excludes the cost for printing the bid documents and handicap accessibility review fees. If you feel that some of these services are not required, then we can negotiate the fee and (in an a la carte fashion) delete some of these services.

If an alternates package is not accepted, we ask to be paid 6.5% of the total cost of construction (based upon the bid) for just the design and bidding services associated with that alternate. If an alternate is accepted, we ask to be paid 6.5% of the total cost

of construction for both the incurred design/bidding services and construction administrative service.

Based upon the worksheet (attached)  
Our Stipulated Sum Fee for Basic Services is \$186,262  
Additional Services – Civil Engineering is \$36,000  
Landscape Design is \$6,800

**TOTAL A/E FEES - \$229,062.05**

If during the course of design, The County requests that the scope of the project significantly change, then our basis fee would correspondingly change.

A breakdown in the phases of our services is included below. We would ask for payment for these design phases at the end of these phases.

Schematic Design	15%
Design Development	20%
Construction Document	40%
Bidding and Negotiation	5%
<u>Construction Administration</u>	<u>20%</u>
Total Design Fee	100%

Additional Services Hourly Rate Schedule:

1. Principals \$180.00 / hr.
2. Architects and Engineers \$120.00 / hr.
3. Project Mgmt. / Construction Admin. \$85.00 / hr.
4. Interns and Designers \$75.00 / hr.
5. CADD-Computer Aided Design & Drafting \$70.00 / hr.
6. Clerical \$35.00 / hr.

Please let me know if this proposal is acceptable to The County. If the scope of the service needs to be modified, please let me know and we can revise accordingly.

Please call me if you have further questions.

Best Regards,



Michael E. Allex, AIA  
Principal

# Hidalgo County Precinct 4 Justice Center - Edinburg, Texas

3/19/2020

## A/E Fee Worksheet

<b>Building Size/Cost (excluding design fees)</b>	<b>sf</b>	<b>cost/sf</b>	<b>cost</b>
Justice Center	12,459	\$ 230	\$ 2,865,570
	12,459	\$ 230	\$ 2,865,570
Design Fee %			6.50%
<b>Total Base Design Fee</b>		<b>\$</b>	<b>186,262.05</b>
Schematic Design		15% \$	<b>27,939.31</b>
Design Development		20% \$	<b>37,252.41</b>
Construction Document		40% \$	<b>74,504.82</b>
Bidding and Negotiation		5% \$	<b>9,313.10</b>
Construction Administration		20% \$	<b>37,252.41</b>
<b>Total Basic Design Fee</b>		<b>100% \$</b>	<b>186,262.05</b>
<b>Additional Services</b>			
Civil Engineering - Performed by Mariano Garcia, PE			
Boundary & Topographic Survey			\$3,500.00
Subdivision Plat Process			\$7,500.00
Public Improvements Plan			\$3,500.00
Civil Engineering Fee			\$21,500.00
<b>CIVIL FEE</b>			<b>\$36,000.00</b>
Landscape Design			\$6,800.00
<b>TOTAL FEES FOR ADDITIONAL SERVICE</b>			<b>\$42,800.00</b>
<b>TOTAL A/E FEES (basic and additional service)</b>			<b>\$ 229,062.05</b>

Estimated square footage and fees subject to adjustment upon scope changes approved by The Owner