

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

**FIRST AMENDMENT TO PROFESSIONAL ENGINEERING SERVICES
AGREEMENT
C-21-0947-05-17**

This **FIRST AMENDMENT** to the Professional Engineering Services Agreement C-21-0947-05-17 (“Agreement”) by and between **The County of Hidalgo, Texas** (“County”) and **INTERA, Inc.** (“Consultant/Engineer”) (collectively “Parties”) is made this 21 day of March 2023, between the Parties, as follows:

WHEREAS, on or about May 17, 2022, the County entered into an Agreement with Consultant/Engineer to provide Air Curtain Incinerator Permitting Assistance for Precinct 3 (the “Services”) to the County following a request by Precinct 3 Commissioner, an elected office of the County, as described in the Service Contract;

WHEREAS, the Contract will expire on May 16, 2023;

WHEREAS, it has become necessary to incorporate additional services as part of the Services and as such to also extend the term of the agreement under the same rates, terms and conditions;

WHEREAS, the Contract provides that it may be modified or amended only by agreement in writing executed by the parties hereto, and not otherwise, pursuant to the Agreement;

WHEREAS, the Parties desire to amend the Agreement as hereinafter provided.

NOW THEREFORE, for and in consideration of the terms and provisions of this First Amendment to Professional Engineering Services Agreement and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, County and Consultant/Engineer hereby agree:

1. Revise No. 7 of the Agreement to read:

7. **Term.** The term of this Contract is for two (2) years and will be effective upon approval of award and end May 16th, 2023. The term of this agreement may be extended at the County’s sole discretion for two (2) additional one (1) year term(s) under the same rates, terms and conditions. County will reserve the right to continue this Contract for an additional sixty (60) day Grace Period at the end of any term under the same rates, terms, and conditions. The Consultant/Engineer will not begin to work or incur costs until authorized in writing by the County for each “Purchase Order”.

2. County hereby agrees to exercise the first of its two (2) additional one (1) year options to

extend the term of the Agreement commencing at the conclusion of the initial contract term (May 16, 2023).

3. Parties agree to incorporate the additional services and corresponding cost estimate dated February 17, 2023, attached herein as Exhibit A to supplement the same incorporated into the Agreement as Attachments B & C respectively.
4. Except as modified herein, all terms and conditions of the Agreement, as amended, remain in full force and effect and Consultant/Engineer and County ratify and confirm the terms and provisions of the Agreement as amended.

EXECUTED as of the day and year first written above.

APPROVED BY COMMISSIONERS' COURT ON March 21, 2023.

Agenda Item No. 90099

Executive Office: _____

CONSULTANT/ENGINEER:

INTERA, Inc.

COUNTY:

COUNTY OF HIDALGO, Texas

Jeff Glaser, P.E.
Principal Engineer and Environmental
Permitting Group Manager

Hon. Richard F. Cortez, County Judge

APPROVED AS TO FORM

Office of the Hidalgo County
Criminal District Attorney,
Toribio "Terry" Palacios

ATTEST:

Robert Viña, III, ADA

Arturo Guajardo, Jr., County Clerk

ATTACHMENT

EXHIBIT A – February 17, 2023 – additional services and cost estimate

February 17, 2023

Commissioner Everardo Villarreal
Hidalgo County Precinct 3
P.O. Box 607
Mission, TX 78753

RE: Precinct 3 – Proposal for Air Curtain Incinerator Permitting Assistance

Dear Commissioner Villarreal

INTERA Incorporated (INTERA), who acquired Cook-Joyce in 2021, hereby presents this proposal for the completion of air quality permitting of an Air Curtain Incinerator (ACI). The scope consists of two tasks, one being for INTERA to complete the submittal of a permit application to the Texas Commission on Environmental Quality (TCEQ) and to provide Public Notice support and liaison with the TCEQ. The basis for the proposal is provided below.

SCOPE OF WORK

Task 1 – Finalize Permit Application, Submit to TCEQ, and Remit Permit Application Fee

INTERA incorporates comments from the review of the draft permit application and prepares the submittal for electronic delivery to the TCEQ via their State of Texas Electronic Environmental Reporting System (STEERS). The permit application is compiled in Adobe PDF format and is uploaded to STEERS in their respective sections per TCEQ requirements. INTERA remits the permit fee on behalf of Hidalgo County, which is \$900 since the capital costs associated with this ACI project are less than \$300,000.

Task 2 – Post-Submittal and Public Notice Support

INTERA works with the permit reviewer at the agency during the review process of the application. INTERA responds to questions and Notices of Deficiency (NOD) that are sent by the permit reviewer and amends items as necessary per the agency's request. Negotiations of the final permit conditions are also handled by INTERA on behalf of the County in order to facilitate the issuance of a complete, accurate, and functional permit for the site.

INTERA also provides support with regard to Public Notice requirements, namely by coordinating publication in the local English and Spanish-language newspapers, working with the County to create appropriate signage, and preparation and submittal of a hardcopy of the application to the local public library for review and inspection by the general public. The County is responsible for remittance of payment of fees associated with newspaper publication and signage.

ESTIMATED COST

INTERA estimates that the project will require \$18,000 USD in funding, on a time and materials basis, to accomplish the tasks outlined above.

Mr. Everardo Villarreal
February 17, 2023
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INTERA appreciates your consideration of this proposal. We appreciate the opportunity to provide services to Hidalgo County. If any further information is needed, please give Joe Pere a call at (512) 425-2056.

Sincerely,

INTERA Incorporated



Jeff Glaser, P.E.
Principal Engineer and Environmental Permitting Group Manager

cc: Brian Dudley, P.E.
Joseph R. Peré

Project Budget and Notes



CLIENT: Hidalgo County, Texas
 TITLE: ACI Air Permitting

15% VEN MARKUP 15% EXP MARKUP
15% SUB MARKUP

TASK NO	TASK DESCRIPTION	Principal Engineer/Scientists			Senior Engineer/Scientists				Engineer/Scientists				Technical Editor		CAD		ADMIN	TOTAL HOURS	TOTAL LABOR		
		P. Eng/Sci I	P. Eng/Sci II	P. Eng/Sci III	Sr. Eng/Sci I	Sr. Eng/Sci II	Sr. Eng/Sci III	Sr. Eng/Sci IV	Eng/Sci I	Eng/Sci II	Eng/Sci III	Eng/Sci IV	Intern	Sr. Tech	Sr. Tech Ed	Tech Ed	Sr. CAD/Graph.			CAD/Graphics	Proj. Assoc.
	HOURLY RATES - Custom Rates	250.00	225.00	210.00	195.00	180.00	165.00	150.00	140.00	130.00	120.00	110.00	76.00	115.00	115.00	82.50	95.00	80.00	75.00		
1	Incorporate Comments and Finalize Application			8.0		31.0										1.0	2.0			42.0	7 532.50
2	Public Notice and Post-Submittal Support			10.0		40.0										1.0				51.0	9 382.50
3																					
4																					
5																					
6																					
7																					
8																					
9																					
10																					
	TOTALS:			3 780.00		12 780.00										165.00	190.00			93.0	16915.00

TASK NO	TASK DESCRIPTION	TOTAL LABOR EFFORT	EXPENSES							VENDORS			SUBCONSULTANTS					TOTAL BUDGET			
			AIR	GROUND	MILEAGE	LODGING	PER DIEM	OTHER EXP	EXP MARKUP	VEN MARKUP						SUB MARKUP					
1	Incorporate Comments and Finalize Application	7 532.50						900.00	135.00												8 567.50
2	Public Notice and Post-Submittal Support	9 382.50						43.48	6.52												9 432.50
3																					
4																					
5																					
6																					
7																					
8																					
9																					
10																					
	TOTALS:	16 915.00						943.48	141.52												

NOTES:
 The allocations above are estimates. Without increasing the total estimated cost of \$18,000, INTERA may reallocate as necessary to deliver the project as efficiently as possible. Any increase in the total cost must be approved by both parties.

BUDGET TOTAL:	18 000.00
BUDGET LABOR:	16 915.00
BUDGET EXPENSES:	943.48
MARKUP ON EXPENSES:	141.52
BUDGET VENDORS:	
MARKUP VENDORS:	
BUDGET SUBS:	
MARKUP ON SUBS:	