

STATE OF TEXAS §
COUNTY OF HIDALGO §

**AMENDMENT No. 1
TO PROFESSIONAL SERVICES AGREEMENT FOR
CONSTRUCTION MATERIALS TESTING AND LABORATORY SERVICES
NEW HIDALGO COUNTY COURTHOUSE PROJECT
C-18-220-09-25**

This AMENDMENT to the Professional Services Agreement for Construction Materials Testing and Laboratory Services, New Hidalgo County Courthouse Project, between **TERRACON CONSULTANTS, INC.** (“Laboratory”) and **HIDALGO COUNTY, TEXAS** (“Owner”), is made effective the 20th day of November, 2018, (the “Amendment”), as follows:

WHEREAS, Laboratory and Owner executed the Professional Services Agreement for Construction Materials Testing and Laboratory Services New Hidalgo County Courthouse Project on September 25, 2018, in which the Laboratory agreed to provide construction materials testing and laboratory services for the Hidalgo County New Courthouse located in Edinburg, Texas (the “Agreement”);

WHEREAS, the Laboratory and Owner have agreed to modify the Owner’s Designated Representative for the Agreement; 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, and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledge, Owner and Laboratory hereby agree to the following Amendment to the Agreement.

1. The Owner’s Designated Representative identified in Agreement Exhibit C – Work Authorization and Exhibit D – Amendment Form shall, as of the date of this Amendment, be composed of the following four (4) individuals: Valde Guerra, Michael Leo, Sergio Cruz and Armando Garza, Jr.;
2. Such Exhibits C and D have been modified accordingly and are attached to this Amendment;
3. Except as modified by this Amendment, all terms and conditions of the Agreement and all its attachments and exhibits shall remain in full force and effect, and Laboratory and Owner ratify and confirm the terms and provisions of the Agreement, as amended by this Amendment.

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

HIDALGO COUNTY, OWNER

TERRACON CONSULTANTS, INC.

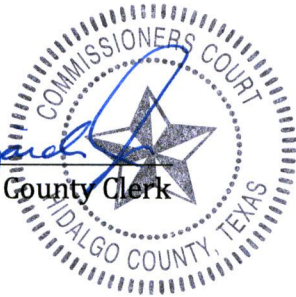
Ramon Garcia
Ramon Garcia, County Judge

By: _____

Its: _____

ATTEST:

Arturo Guajardo Jr.
Arturo Guajardo Jr., County Clerk



APPROVED BY
COMMISSIONERS' COURT
ON: 11/20/18

[Signature]

EXHIBIT "C"
HIDALGO COUNTY, TEXAS
Agreement #C-17-000-00-00 Work Authorization Form

WORK AUTHORIZATION NO. ____

THIS WORK AUTHORIZATION is made pursuant to and in accordance with the terms and conditions of the Agreement between Hidalgo County, Texas ("County" or "Owner") and Terracon Consultants, Inc., a Delaware Corporation ("Laboratory"), dated ____ ("Agreement") for the Hidalgo County Courthouse Project ("Project").

PART 1. WORK DESCRIPTION

The purpose of this Work Authorization is for the Laboratory to provide under the Agreement Services, generally described as follows:

The specific scope of services to be provided by the Laboratory is identified in Work Authorization **EXHIBIT "A" - Scope of Services by the Laboratory** contained within Laboratory's Proposal dated July 23, 2018 attached hereto ("Services").

PART 2. PRICE

The lump sum price for all Services under this Work Authorization is \$ _____ ("Price"). This amount is based upon the lump sum price in the Proposal attached hereto **EXHIBIT "C" - Proposal** and includes any and all costs and expenses necessary to completely, properly and timely provide all Services of this Work Authorization.

PART 3. PAYMENT

Payment to the Laboratory for the Services established under this Work Authorization that have been completely, properly and timely provided shall be made in accordance with the terms of the Agreement and any specific additional payment terms in the Proposal to which the Owner agrees.

PART 4. FUNDING

This Work Authorization No. _____ shall be funded through funding source:
Account No. _____
Requisition Number _____ (MUST BE INCLUDED AFTER CC APPROVAL)

PART 5. PERIOD OF SERVICE

The Services shall be provided according to Work Authorization **EXHIBIT "B" - Work Schedule**. This Work Authorization shall become effective on the date of final acceptance of the parties hereto, and terminate upon the proper completion of the Services, unless the Services are terminated earlier by the County made with or without cause.

PART 6. RESPONSIBILITIES AND OBLIGATIONS

Laboratory shall be responsible for completely, properly and timely providing all Services. This Work Authorization and the Services are subject to all applicable terms and conditions of the Agreement. This Authorization does not waive the parties' responsibilities and obligations provided under the Agreement.

PART 7. ACKNOWLEDGEMENT AND CONFIRMATION

The Program Manager for the Project has reviewed and recommends approval of this Work Authorization.

BY: _____

For: Jacobs Project Management Co. (Program Manager)

PART 8. LIMITATIONS, ACCEPTANCE AND APPROVAL

This Work Authorization is hereby accepted and approved by Hidalgo County, Texas:

- a) Approval for Price of \$50,000.00 or less: by Owner's Designated Representative Valde Guerra, Michael Leo, Sergio Cruz and Armando Garza, Jr. when acting jointly and unanimously on behalf of the Owner with respect to this Work Authorization or any such other County employee that the County shall designate with prior notice to the Laboratory; or
- b) Approval for Price greater than \$50,000.00: by Commissioners' Court on _____ as indicated below by signature of County Judge.

[Signature page follows.]

Effective Date: _____

THE LABORATORY:
Terracon Consultants, Inc.

THE OWNER:
Hidalgo County, Texas
(\$50,000.00 or less)

By:

By: Valde Guerra

By: Michael Leo

By: Sergio Cruz

By: Armando Garza, Jr.

ATTEST:

THE OWNER:
Hidalgo County, Texas
(more than \$50,000.00)

By: Arturo Guajardo, Jr., County Clerk

By: Ramon Garcia, County Judge

LIST OF ATTACHMENTS

Work Authorization EXHIBIT "A" -
Work Authorization EXHIBIT "B" -
Work Authorization EXHIBIT "C" -

Scope of Services by Laboratory under this Work Authorization
Work Schedule
Proposal

EXHIBIT "D"

Amendment Form

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

AMENDMENT NO. _____

This Amendment is made pursuant to and in accordance with the terms and conditions of the Agreement between Hidalgo County, Texas ("County" or "Owner") and Terracon Consultants, Inc., a Delaware Corporation ("Laboratory") dated ("Agreement") and/or any specified Work Authorization(s) for the Hidalgo County Courthouse Project ("Project").

WITNESSETH

WHEREAS, the County and Laboratory intend to amend the Agreement and/or the specified Work Authorization(s) as provided by this Amendment.

NOW THEREFORE, premises considered, the County and the Laboratory agree to the following amendment(s):

[] The Agreement is amended as follows:

[] Work Authorization ____ is or Work Authorizations ____ are amended as follows:

All other provisions of the Agreement and/or the specified Work Authorization(s) are unchanged and remain in full force and effect.

In the event this Amendment increases compensation to be paid to the Laboratory, the increase shall be funded through funding source:

Account No. _____

Requisition Number _____ **(MUST BE INCLUDED AFTER CC APPROVAL)**

LIMITATIONS, ACCEPTANCE AND APPROVAL

This Amendment is hereby accepted and approved by Hidalgo County, Texas:

- a) Approval that includes any Price modification of \$50,000.00 or less: by Owner's Designated Representative Valde Guerra, Michael Leo, Sergio Cruz and Armando Garza, Jr. when acting jointly and unanimously on behalf of the County with respect to this Amendment or any such other County employee that the County shall designate with prior notice to the Laboratory; or
- b) Approval that includes any Price modification of greater than \$50,000.00: by Commissioners' Court on _____ as indicated below by signature of County Judge.

[Signature page follows.]

Effective Date: _____

THE LABORATORY:
Terracon Consultants, Inc.

THE OWNER:
Hidalgo County, Texas
(\$50,000.00 or less)

By:

By: Valde Guerra

By: Michael Leo

By: Sergio Cruz

By: Armando Garza, Jr.

ATTEST:

THE OWNER:
Hidalgo County, Texas
(more than \$50,000.00)

By: Arturo Guajardo, Jr., County Clerk

By: Ramon Garcia, County Judge

LIST ANY OF ATTACHMENTS

November 20, 2018

Deo Judge

Raw

- 2. **AI-67769** Requesting authority to advertise and approval of the RFQ/P One-Step Packet (i.e., legal notice requirements, scope of services, evaluation criteria) for Construction Manager at Risk (CMAR) for County Services Facilities and Justice Center including the re-advertising of project if necessary and/or required.

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, seconded by COMMISSIONER PCT. 3, JOE FLORES, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0 - Unanimously

- 3. **AI-67742** a. Acceptance and approval to execute Amendment No. 3 between Hidalgo County and contractor, Morganti Texas, Inc. to modify and insert Exhibit I-Prevailing Wages Rates for the "Construction of New Hidalgo County Courthouse" Project.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0 - Unanimously

b. Acceptance and approval to execute Amendment No. 4 between Hidalgo County and Contractor, Morganti Texas, Inc. to modify the Owner's Designated Representative for the Agreement to include Armando Garza, Jr. (as approved on CC 10/23/18)

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0 - Unanimously

- 4. **AI-67748** Acceptance and approval to execute Amendment No. 1 between Hidalgo County and Terracon Consultants, Inc. to modify the Owner's Designated Representative for the Agreement to include Armando Garza, Jr. (as approved on CC 10/23/18)

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0 - Unanimously

- 5. **AI-67717** Requesting approval of amendment no. 2 of Memorandum of Understanding between Hidalgo County and the Lower Rio Grande Valley Development Council in connection with shuttle services, as previously approved by CC on 07/31/18(AI-65904) provided thru Valley Metro pending final review and approval as to legal form by HC District Attorney's-Civil Litigation Section.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0 - Unanimously

- 6. **AI-67619** Ratification of disposal through donation to the joint effort between UT-RGV and the City of Edinburg through written request from Messrs. Edward Kuprel [City's Forrester] and Ricardo Ramirez Garcia-Rojas [Graduate Research Asst. for Agr./Env./Sust. Sciences Prog.] of salvage plant debris [banana plants] on site of the demolition of the Old Hidalgo County Jail located at NE corner of 12th & Loeb Streets in Edinburg, Texas pursuant to Tx Local Government Code 263.151 & 263.152 as confirmed/approval by HCCC through all the supporting documentation herein.

On motion by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, seconded by COMMISSIONER PCT. 3, JOE FLORES, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0 - Unanimously

- 7. **AI-67751** Acceptance and approval to execute Amendment No. 1 between Hidalgo County and Architect, HDR, Architecture, Inc., to modify the specific portion of Section 11.5 for the "Construction of the New Hidalgo County Courthouse" Project.

On motion by COMMISSIONER PCT. 3, JOE M. FLORES, seconded by COMMISSIONER PCT. 2, EDUARDO "EDDIE" CANTU, the Court made a UNANIMOUS vote of approval.

Vote: 3 - 0 - Unanimously

B. Executive Office