



STATE OF TEXAS           §  
COUNTY OF HIDALGO    §

**AMENDMENT No. 4  
TO AIA A133-2009  
STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONSTRUCTION  
MANAGER AS CONSTRUCTOR  
C-17-292A-03-27**

This AMENDMENT to the AIA Document A133-2009 Agreement, as defined below, between **MORGANTI TEXAS, INC.** (“Construction Manager”) and **HIDALGO COUNTY, TEXAS** (“Owner”), is made effective the 20<sup>th</sup> day of November, 2018, (the “Amendment”), as follows:

**WHEREAS**, Construction Manager and Owner executed the AIA Document A133-2009, agreement between Construction Manager and the Owner on March 27, 2018, in which the Construction Manager agreed to provide construction manager services for the Hidalgo County New Courthouse located in Edinburg, Texas (the “Agreement”);

**WHEREAS**, the Construction Manager 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 Construction Manager hereby agree to the following Amendment to the Agreement.

1. The Owner’s Designated Representative identified on page one of the Agreement 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. 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 Construction Manager 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

MORGANTI TEXAS, INC.

*Ramon Garcia*  
Ramon Garcia, County Judge

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Joseph W. Kummer, Vice President

ATTEST:

*Arturo Guajardo Jr.*  
Arturo Guajardo Jr., County Clerk



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

November 20, 2018

- 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**