

Amendment #2
To
Professional Services Contract
Webb County -Ardurra Group, Inc.
Waterline Extension Design
(La Presa Booster Pump Station)

The original contract, dated **May 26, 2023** and effective May 22, 2023, by and between **Webb County**, a political subdivision of the State of Texas (hereinafter called "County") and **Ardurra Group, Inc.**, (hereinafter called "Consultant") to provide Services is hereby amended, pursuant to Sections VII.B., X. and XXI. B of the Original Agreement, the matter to be omitted is enclosed in brackets and by using strikeout type and where new matters are indicated by underscoring and by using italics:

VI. Compensation and Payment:

C. County shall pay Consultant \$ 566,755.00 for the design of a Ground Storage Tank and Booster Pumps (To address water storage requirements, emergency storage for Colonia La Presa, and minimize the impact to the entire water system.), Hydropneumatic Tank (To address water pressure and to supplement elevated storage regulatory requirements.) and Chemical Boosting System (To mitigate water quality issues due to projected low demand in the initial years of the waterline extension.)

The following new services are added to the agreement:

BASIC SERVICES

TASK 14: ADDITIONAL WATER SYSTEM IMPROVEMENTS (LA PRESA BPS IMPROVEMENTS)

14.1. DESIGN BASIS REPORT

The results of the study will be incorporated into a Draft Design Basis Report and submitted to the County for review. The submission of a Final Design Basis Report will be submitted to the County and, upon approval, Ardurra will proceed to development of construction documents for the proposed Booster Pump Station.

1. It is the intent of the Design Basis Report to provide a study that will assess the ground storage tank and booster pump station project on a regulatory, design, and budgetary basis.
2. The Design Basis Report will include the following (with CONSTRUCTABILITY being a major element in all the following items):
 - One (1) copy in an approved electronic format, and one (1) paper copy of the Design Basis Report to the County for review. The Design Basis Report will include an executive summary, opinion of probable construction costs with life cycle analysis, and defined technical evaluations of identified feasible alternatives.
 - Review of the Project with the respective Operating

FILED Dec 9th 2024 @ 12:00p.m.
MARGIE RAMIREZ IBARRA
COUNTY CLERK, WEBB COUNTY, TEXAS
BY [Signature] DEPUTY

Department(s) and discussions including clarification and definition of intent and execution of the Project; The Engineer will meet with County staff to collect data, discuss materials and methods of construction, and identify design and construction requirements.

- Review and investigation of available records, archives, and pertinent data related to the Project including taking photographs of the Project site, list of potential problems and possible conflicts, intent of design, and improvements required, and conformance to relevant Master Plan(s).
- Identify results of site field investigation including site findings, existing conditions, potential right of way/easements, and probable Project design solutions;
- Provide a presentation of pertinent factors, sketches, designs, cross-sections, and parameters which will or may impact the design, including engineering design basis, preliminary layout sketches, identification of needed additional services, preliminary details of construction of critical elements, identification of needed permits, identification of specifications to be used, identification of quality and quantity of materials of construction, and other factors required for a professional design (CONSTRUCTABILITY).
- Advise of environmental evaluations that are needed for the Project (Environmental issues to be an Additional Service).
- Identify and analyze requirements of governmental authorities having jurisdiction to approve design of the Project and permitting, environmental, historical, construction, and geotechnical issues; and meet with pertinent authorities.
- Confer, discuss, and meet with County operating department(s) and Engineering Services staff to produce a cohesive, well-defined proposed scope of design, probable cost estimates(s) and design alternatives.

Task List:

- Siting Evaluation and Recommendations based on existing improvements.
- Pressure Plane Boundary Analysis
- Recommendations for pipe tank interconnection with existing facilities based on hydraulic evaluation.
- Electrical Instrumentation, controls, and SCADA
- Structural, Architectural and HVAC recommendations
- Site Security (gate, fencing, card readers, cameras).
- Site Development (access road, drainage, landscaping, drain and overflow routing).
- Corrosion Protection (coatings, steel thickness, piping material), if necessary.
- Hydraulic evaluation consisting of determination of existing and future demands in pressure zone, pressure maintenance criteria, design and control strategies for cycling tank (water age), and

storage volume requirements.

- Design Schedule
- Construction Schedule
- Estimated Construction Cost

14.2. PRELIMINARY DESIGN PHASE (30%)

1. Prepare construction drawings in County standard format for the scope of work identified and agreed upon in the Design Basis Report.

Proposed Drawing index may include, but is not limited to:

- Title Sheet
- Typical Legend Sheet
- General Notes Sheets
- Existing Conditions Site Plan
- Existing Yard Piping Plan
- Proposed Demolition Plan
- Proposed Site Plan
- Proposed Yard Piping Plan
- Proposed Sections
- Proposed BPS Plan
- Site Reference Photos
- Proposed Tank Details
- Construction Details
- Traffic Control Plan
- EI&C Plan Sheets
- Structural Plan Sheets
- Architectural Plan Sheets
- HVAC Sheets

2. Prepare construction front-end documents in County standard format pertinent to the project scope.
3. Prepare construction standard and technical specifications in County standard format pertinent to the project scope.
4. Furnish one (1) set of the 30% Design Plans and Contract Documents to the County for review and approval purposes with updated schedules and estimates of probable construction costs.
5. Hold Project 30% Design review meeting. Prepare meeting agenda and distribute meeting minutes to attendees within five working days of the meeting.

Preliminary Design Phase Deliverables:

- 30% Construction Plans, Specifications and Estimates

14.3. DESIGN PHASE (60% DESIGN)

1. Prepare construction drawings in County standard format for the scope of work identified and agreed upon in the preliminary design phase. Proposed

Drawing index may include, but is not limited to:

- Title Sheet

- Typical Legend Sheet
 - General Notes Sheets
 - Existing Conditions Site Plan
 - Existing Yard Piping Plan
 - Proposed Demolition Plan
 - Proposed Site Plan
 - Proposed Yard Piping Plan
 - Proposed Sections
 - Proposed BPS Plan
 - Site Reference Photos
 - Proposed Tank Details
 - Construction Details
 - Traffic Control Plan
 - EI&C Plan Sheets
 - Structural Plan Sheets
 - Architectural Plan Sheets
 - HVAC Sheets
2. Furnish one (1) set of the 60% Construction Plans, Specifications and Estimates to the County for review and approval.
 3. Hold Project 60% Design review meeting. Prepare meeting agenda and distribute meeting minutes to attendees within five working days of the meeting.

Design Phase Deliverables:

- 60% Construction Plans, Specifications and Estimates

14.4. FINAL ENGINEERING (100% DESIGN)

1. Prepare construction drawings in County standard format for the scope of work identified and agreed upon in the Design Phase. Proposed Drawing index may include, but is not limited to:
 - Title Sheet
 - Typical Legend Sheet
 - General Notes Sheets
 - Existing Conditions Site Plan
 - Existing Yard Piping Plan
 - Proposed Demolition Plan
 - Proposed Site Plan
 - Proposed Yard Piping Plan
 - Proposed Sections
 - Proposed BPS Plan
 - Proposed Tank Details
 - Construction Details
 - Traffic Control Plan
 - EI&C Plan Sheets
 - Structural Plan Sheets
 - Architectural Sheets

- HVAC Sheets
2. Furnish one (1) set of the 100% Construction Plans, Specifications and Estimates to the County for review and approval purposes with updated schedules and estimates of probable construction costs.
 3. Hold Project Final Design review meeting. Prepare meeting agenda and distribute meeting minutes to attendees within five working days of the meeting.
 4. Upon approval from the County, prepare all necessary forms and submit Final Plans and Contract Documents to the Texas Commission on Environmental Quality (TCEQ) for review/approval to move forward with construction.
 5. Coordinate with the TCEQ and the County for submission and approval of Final construction plans and contract documents for the construction of the new tank and the associated site and system improvements.
 6. TCEQ final approval and submittal to the County of Sealed Plans and Contract Documents.
 7. Provide necessary coordination with the TCEQ regarding the recommended construction.

FINAL DESIGN PHASE DELIVERABLES:

- 100% Construction Plans, Specifications and Estimates
- TCEQ Permitting and Approval

14.5. TOPOGRAPHIC & BOUNDARY SURVEY

1. Perform a topographic survey and provide data in NAD83 Coordinates for both existing and proposed sites.
2. Locate any visible improvements and utilities within the limits of the project.

Topographic & Boundary Survey Deliverables:

- Topographic and Boundary Survey

14.6. GEOTECHNICAL INVESTIGATION

1. Perform a Geotechnical Investigation, boring, and testing with a certified Geotechnical Laboratory. A Geotechnical Engineering Report will be prepared to include the description of the field exploration and laboratory tests, boring logs, and a discussion of the engineering properties of the subsurface materials encountered.
2. Submit Geotechnical Investigation Report to County for facility improvements for this project.

Geotechnical Investigation Deliverables:

- Geotechnical Engineering Report

14.7. BIDDING PHASE

1. Participate in the pre-bid conference and provide a recommended agenda for critical construction activities and elements impacting the project.
2. Assist the County in solicitation of bids by identification of prospective bidders, and review of bids by solicited interests.
3. Review all pre-bid questions and submissions concerning the bid documents and prepare, in the County's format, for approval, any addenda or other revisions necessary to inform contractors of approved changes prior to bidding.
4. Attend bid opening, analyze bids, evaluate, prepare bid tabulation, and make recommendation concerning award of the contract.

Bidding Phase Deliverables:

- Response to pre-bid questions in County standard format
- Addenda, as required in County standard format
- Bid recommendation letter

14.8. CONSTRUCTION PHASE

1. Coordinate and conduct one (1) pre-construction meeting.
2. Review submittals, shop drawings, testing results and review and respond to requests for information (RFI's) and change orders.
3. Conduct general construction inspections (24).
4. Conduct monthly construction progress meetings (12).
5. Conduct final inspection along with County staff to determine if project has been completed to the standard required by the contract documents and the contractor has fulfilled his obligations as required.
6. Prepare and deliver to the County record drawings of the constructed work. Record drawing information will be obtained from redlined drawings prepared by the contractor.

Construction Phase Deliverables:

- Monthly Construction Progress Meetings
- Response to RFIs and Change Orders
- Record Drawings

TASK 15: STAKEHOLDER ENGAGEMENT

15.1. Public Stakeholder Meeting

- Conduct up to Three (3) Public Stakeholder Meetings. These meetings are recommended at project milestones 30%, 60%, and Pre-Construction. However, Public meetings can be held at the discretion of the County.
- Public Stakeholder Meetings are to be held at the La Presa Community Center. These meetings will include the broad overview of the project and

the timeline for construction, with the focus being on the platting process and process to get a connection to water service.

- Consultant Team will provide exhibits and workshops materials ahead of meeting for County Review and approval.

15.2. Private Stakeholder Meetings and Presentations

- Conduct up to 189 Private Stakeholder Meetings with property owners from La Presa. The meetings and/or presentations may be necessary for potential Right-of-Way Acquisition and platting efforts.
- Consultant to send mailouts to all the property owners to inform them of the platting services and what requirements these individuals need to meet in order to have a water service connection.
- Our team will also be working with the planning department to develop options for different lot sizes and scenarios to try and maximize the number of connections.
- The individual meetings with the property owners that contact us and preparing handouts and fliers for assistance on what it will take to get a service connection.

Stakeholder Engagement Deliverables:

- Stakeholder Meeting/Workshops, meeting materials, presentations, and minutes of the workshops.
- List of individual stakeholder meetings to assist with platting services.

Project Timeline begins run on the effective date of this amendment:

<u>Task</u>	<u>Duration (months)</u>	<u>Start Month</u>	<u>End Month</u>
<u>1. DESIGN BASIS REPORT</u>	<u>2</u>	<u>0</u>	<u>2</u>
<u>2. TOPOGRAPHIC SURVEY</u>	<u>1</u>	<u>0</u>	<u>1</u>
<u>3. GEOTECHNICAL INVESTIGATION</u>	<u>2</u>	<u>0</u>	<u>2</u>
<u>4. PRELIMINARY DESIGN PHASE (30%)</u>	<u>2</u>	<u>1</u>	<u>3</u>
<u>5. DESIGN PHASE (60% DESIGN)</u>	<u>3</u>	<u>3</u>	<u>6</u>
<u>6. FINAL DESIGN PHASE (100%)</u>	<u>2</u>	<u>6</u>	<u>8</u>
<u>7. BIDDING PHASE</u>	<u>2</u>	<u>8</u>	<u>10</u>
<u>8. CONSTRUCTION PHASE</u>	<u>10</u>	<u>10</u>	<u>20</u>
<u>9. STAKEHOLDER ENGAGEMENT</u>	<u>8</u>	<u>0</u>	<u>8</u>
<u>TOTAL</u>	<u>20</u>		

Items not included in this scope of work:

- Permitting with local, state and federal agencies in addition to that included as a basic service.
- Materials testing during construction.
- On-site construction observation services not included as part of the basic services.
- Services related to disputes over pre-qualification, bid protests, bid rejection and

re-bidding of the Contract for Construction not as a result of Consultant's work.

- Services necessary due to the default of the Contractor.

Fees:

A. Summary of Fees

<u>ADDITIONAL SERVICES</u>		
<u>TASK 14</u>	<u>ADDITIONAL WATER SYSTEM IMPROVEMENTS (LA PRESA BPS IMPROVEMENTS)</u>	<u>\$ 431,355.00</u>
	<u>DESIGN BASIS REPORT</u>	<u>\$ 37,490.00</u>
	<u>PRELIMINARY DESIGN (30%)</u>	<u>\$ 78,660.00</u>
	<u>DESIGN PHASE (60%)</u>	<u>\$ 138,030.00</u>
	<u>FINAL DESIGN PHASE (100%)</u>	<u>\$ 65,510.00</u>
	<u>TOPOGRAPHIC SURVEY</u>	<u>\$ 16,000.00</u>
	<u>GEOTECHNICAL INVESTIGATION</u>	<u>\$ 8,000.00</u>
	<u>BIDDING PHASE</u>	<u>\$ 13,480.00</u>
	<u>CONSTRUCTION PHASE</u>	<u>\$ 74,185.00</u>
<u>TASK 15</u>	<u>STAKEHOLDER ENGAGEMENT</u>	<u>\$ 135,400.00</u>
	<u>PUBLIC STAKEHOLDER MEETINGS</u>	<u>\$ 39,000.00</u>
	<u>PRIVATE STAKEHOLDER MEETINGS</u>	<u>\$ 96,400.00</u>
<u>TOTAL ADDITIONAL SERVICES (AMENDMENT NO. 2)</u>		<u>\$ 566,755.00</u>

Paragraph 2: The parties agree that the foregoing amendment shall be hereinafter considered a part of the contract referred to above and incorporated by reference therein for all purposes. This amendment shall be subject to any and all other provisions of the contract which are hereby ratified by the parties and remain in full force and effect, with the exception of the parts or provisions of the contract which have been modified by this amendment or prior amendments.

Each party hereby guarantees, warrants and represents to the other that the individual or individuals signing this Amendment on behalf of such party have the power, authority and legal capacity to sign this Amendment on behalf of and to bind all entities, corporations, partnerships, limited liability companies, joint venturers or other organizations and entities on whose behalf such individual or individuals have signed.

This Amendment becomes effective when signed by the last party whose signing makes the Agreement fully executed.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment #2 on the dates set forth below.

Webb County



Tano E. Tijerina
Webb County Judge

Ardurra Group, Inc.
Consultant



Ignacio Hinojosa, PE
Client Services Manager

Date: 10/28/24

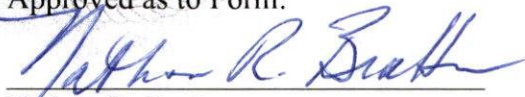
Date: 12-5-24

ATTEST:



Margie Ramirez Ibarra
Webb County Clerk

Approved as to Form:



Nathan R. Bratton
General Counsel
Civil Legal Division*

*The General Counsel, Civil Legal Division's office, may only advise or approve contracts or legal documents on behalf Webb County, its client. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval of their own respective attorney(s).