County: Williamson Location: CR 279 (Bagdad Rd) Limits: Silver Creek Dr to CR 278

STANDARD UTILITY AGREEMENT SUPPLEMENTAL AGREEMENT No. __1_

This Supplemental Agreement is made pursuant to the terms and conditions of the Agreed entered into by and between Williamson County, Texas, a political subdivision of the State of Texas, (*the "County"*) and <u>Pedernales Electric Cooperative, Inc.</u> (*the "Utility"*) and shall be effective upon the date of acceptance and execution by and on behalf of the **County**.

Whereas, the **County** and **Utility** executed a Standard Utility Agreement on <u>February 23, 2017</u> concerning the adjustment, relocation, or removal of certain **Utility's** facilities;

Whereas, said Standard Utility Agreement limits the required scope of work and/or the amount of eligible reimbursement;

Whereas, due to the newly discovered information by the **Utility** deemed sufficient by the **County**, the **County** and **Utility** agree that supplementation to the Standard Utility Agreement is necessary; and

Whereas, the statement of work contained in the Standard Utility Agreement shall be supplemented to include: <u>additional design</u>, <u>materials and construction work as detailed in the attached backup documents</u>, which are attached to this supplemental agreement as Attachment "A".

Now, Therefore, Be It Agreed:

The statement of work contained in the Standard Utility Agreement is supplemented to include the additional design and construction work found in Attachment "A".

The estimated cost of the adjustment, relocation or removal is **increased** by \$70,539.92 for a total of \$143,006.52. The parties agree that the approval of estimated costs in no way indicates the eligibility of said costs for reimbursement.

All conditions and agreements contained in the Standard Utility Agreement except those specifically included in this document remain in effect.

County: Williamson Location: CR 279 (Bagdad Rd) Limits: Silver Creek Dr to CR 278

STANDARD UTILITIY AGREEMENT SUPPLEMENTAL AGREEMENT No. 1

(con't.)

The signatories to this agreement warrant that each has the authority to enter into this agreement on behalf of the party represented.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures.

UTILITY	WILLIAMSON COUNTY
Utility: Pedernales Electric Cooperative Name of Utility	By:
By: Authorized Signature	Judge Bill Gravell, Jr.
Flecheical Distribution	Title: Williamson Country Judge
Date: 9-30-2019	Date: 10/8/19

Form Wilco-U-COA
Rev. 7/20/11

County: Williamson
Location: CR 279 (Bagdad Rd)
Limits: Silver Creek Dr to CR 278

ATTACHMENT "A"

Backup Documents to Supplemental:

Form Wilco-U-COA

Rev. 7/20/11

Location: CR 279 (Bagdad Rd)
Limits: Silver Creek Dr to CR 278

Summary of Reasons for Supplemental Agreement:

Construction Materials & Phasing:

Per Schneider Engineer LTD Invoice, costs increased because of the following:

- Changes in the construction phasing. The original design had the power lines with half on the west side and half on the east side and that is what the reimbursement agreement was based on. However, after the agreement was submitted, the project changed substantially because the communication companies wanted the PEC power line to be routed all on the west side. Moving the PEC line to the west side, required either new easement(s) or self-supported poles.
- PEC worked with the adjacent developer, regarding vegetation clearing and pole placement, but the developer would not grant easements for guying. Due to this, three (3) self-supported poles had to be designed and special ordered. This added additional material cost.
- Due to the county's construction schedule, PEC had to build the project in two parts. The first part included removal of existing line, installation of new line along the west side and the installation of three temporary slack spans within the road right-of-way. The temporary slack spans were needed in order to maintain power to the road crossing taps, while the self-supported poles were being procured. Once the self-supported poles arrived, the second part of project was completed. This included replacing the temporary slack spans with the self-supported structures.

Internal Labor Cost Plus Overhead:

- Due to additional design, materials and re-phasing, PEC had additional labor costs and overhead, as shown in final invoice.

See following summary of additional costs.

County: Williamson Location: CR 279 (Bagdad Rd) Limits: Silver Creek Dr to CR 278

Date :	2	2/23/2017		11/1/2018	1/23/2019
Document :	PEC Reimbursement Agreement		PEC Statement of Charges		Difference
	Co	onstruction Cost	ts		
CONSTRUCTION:	\$	70,020.53	\$	79,939.34	\$ 9,918.81
Material Costs & OH: *	\$	20,000.00	\$	58,065.68	\$ 38,065.68
Labor Cost (ROW):	\$	9,500.00			\$ (9,500.00)
Construction Costs Subtotal:	\$	99,520.53	\$	138,005.02	\$ 38,484.49
	En	gineering Servic	es		
ENGINEERING SERVICES:	\$	24,715.03	\$	70,083.90	\$ 45,368.87
Internal Labor & OH:			\$	36,312.10	\$ 36,312.10
Transportation Costs:			\$	767.03	\$ 767.03
Engineering Services Subtotal:	\$	24,715.03	\$	107,163.03	\$ 82,448.00
Total Costs :	\$	124,235.56	\$	245,168.05	\$ 120,932.49
Eligibility Ratio:					
58.33%	\$	72,466.60	\$	143,006.52	\$ 70,539.92

^{*} Original estimated cost for add-on self-supporting poles.



STATEMENT OF CHARGES

Received

Jul 01, 2019 HNTB Corporation

Round Rock

Liberty Hill District 10825 W. State Hwy 29

10825 W. State Hwy 29 Liberty Hill, Texas 78642 512-778-5470 X 7025

RE: CR 279/Bagdad From Silver Creek to North of CR 278

RECIPIENT:

Name Williamson County

c/o HNTB Corporation - Eddie Church

Address 101 E. Old Settlers Blvd. Ste 100

City, State, ZIP Round Rock, TX 78664

STATEMENT DATE June 17, 2019

Sales Tax Rate: EXEMPT

	DESCRIPTIO	N		AMOUNT
108609	SCHNEIDER ENGINEERING LTD	INVOICE	34699	4,525.69
	SCHNEIDER ENGINEERING LTD	INVOICE	36343	5,774.48
	SCHNEIDER ENGINEERING LTD	INVOICE	36725	5,395.22
	SCHNEIDER ENGINEERING LTD	INVOICE	35853	5,514.86
	SCHNEIDER ENGINEERING LTD	INVOICE	36867	275.00
	SCHNEIDER ENGINEERING LTD	INVOICE	37302	1,252.75
	SCHNEIDER ENGINEERING LTD	INVOICE	37773	2,409.75
	SCHNEIDER ENGINEERING LTD	INVOICE	38070	418.50
	SCHNEIDER ENGINEERING LTD	INVOICE	38521	2,476.15
	SCHNEIDER ENGINEERING LTD	INVOICE	38926	530.00
	SCHNEIDER ENGINEERING LTD	INVOICE	39476	130.00
	SCHNEIDER ENGINEERING LTD	INVOICE	39814	1,043.75
	SCHNEIDER ENGINEERING LTD	INVOICE	40295	1,426.55
	SCHNEIDER ENGINEERING LTD	INVOICE	40743	1,679.25
	SCHNEIDER ENGINEERING LTD	INVOICE	41217	625.00
	SCHNEIDER ENGINEERING LTD	INVOICE	41642	2,157.50
	SCHNEIDER ENGINEERING LTD	INVOICE	42057	110.00
	SCHNEIDER ENGINEERING LTD	INVOICE	43259	91.25
	SCHNEIDER ENGINEERING LTD	INVOICE	42551	1,012.75
	SCHNEIDER ENGINEERING LTD	INVOICE	43761	601.25
	SCHNEIDER ENGINEERING LTD	INVOICE	44093	11,510.85
	SCHNEIDER ENGINEERING LTD	INVOICE	44734	9,786.85
	SCHNEIDER ENGINEERING LTD	INVOICE	44943	4,655.00
	JAMES POWER LINE CONSTRUCTION	INVOICE	12017	6,207.79
	SCHNEIDER ENGINEERING LTD	INVOICE	45377	348.75
	SCHNEIDER ENGINEERING LTD	INVOICE	45524	1,412.50

TRANSPORTATION CO	OSTS			\$	767.03
				\$	36,312.10
MATERIAL COST PLUS OV	ERHEAD			\$	58,065.68
INVOICES TOTAL:		\$	150,023.24		
LINETEC SERVICES LLC	INVOICE				73,664.76
					4,920.25
	INVOICES TOTAL: MATERIAL COST PLUS OV INTERNAL LABOR PLUS OV	JAMES POWER LINE CONSTRUCTION INVOICE LINETEC SERVICES LLC INVOICE	JAMES POWER LINE CONSTRUCTION INVOICE 12467 LINETEC SERVICES LLC INVOICE 20751 INVOICES TOTAL: \$ MATERIAL COST PLUS OVERHEAD	JAMES POWER LINE CONSTRUCTION INVOICE 12467 LINETEC SERVICES LLC INVOICE 20751 INVOICES TOTAL: \$ 150,023.24 MATERIAL COST PLUS OVERHEAD	JAMES POWER LINE CONSTRUCTION INVOICE 12467 LINETEC SERVICES LLC INVOICE 20751 INVOICES TOTAL: \$ 150,023.24 MATERIAL COST PLUS OVERHEAD \$

DIRECT ALL INQUIRIES TO:

Whitney Burke 512-778-5470 ext 7023 Whitney.Burke@PECi.com

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County Responsibility \$ 143,	143,006.52	141,214.09 \$	\$ 1,792.43	Short pay

Eddie R. Church

From: Field, Dirk <dirk.field@peci.com>
Sent: Thursday, September 26, 2019 2:40 PM

To: Eddie R. Church

Subject: FW: 1805-229 Bagdad at CR 278 - PEC Relocation Supplemental Agreement

Eddie, please see the emails below.

Dirk Field | PEDERNALES ELECTRIC COOPERATIVE, INC.

Electrical Distribution & Planning Manager P: (800)868-4791 Ext.7020 | M: (512)525-7898

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From: Mark Evans [mailto:mevans@se-texas.com] **Sent:** Thursday, September 26, 2019 2:37 PM

To: Field, Dirk <dirk.field@peci.com>

Cc: Burke, Whitney <Whitney.Burke@peci.com>; Hoy, Vance <Vance.Hoy@peci.com> **Subject:** RE: 1805-229 Bagdad at CR 278 - PEC Relocation Supplemental Agreement

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We originally designed the designed the line with about half on the west side and half on the east side and that is what the reimbursement agreement was based on. However, after the agreement was submitted, the project changed substantially at the request of either Cobb Fendley or the County as I recall because the communication company or companies wanted the PEC power line to be routed all on the west side. Moving the PEC line to the west side, required either new easement(s) or self-supported poles. We worked with the developer regarding vegetation clearing and pole placement, but developer would not grant easements for guying so three self-supported poles had to be designed and special ordered which added additional material cost. Due to the county's construction schedule, PEC had to build the project in two parts. The first part included removal of existing line, installation of new line along the west side and the installation of three temporary slack spans within road right-of-way. The temporary slack spans were needed in order to maintain power to the road crossing taps while the self-supported poles were procured. Once the self-supported poles arrived, the second part of project was completed which included replacing the temporary slack spans with the self-supported structures.

MARK E. EVANS

SCHNEIDER ENGINEERING, LTD.

mevans@se-texas.com



From: Field, Dirk <dirk.field@peci.com>

Sent: Thursday, September 26, 2019 10:27 AM **To:** Mark Evans mevans@se-texas.com>

Cc: Burke, Whitney < <u>Whitney.Burke@peci.com</u>>; Hoy, Vance < <u>Vance.Hoy@peci.com</u>> **Subject:** FW: 1805-229 Bagdad at CR 278 - PEC Relocation Supplemental Agreement

Mark, please see Brad's comments below. Please add any information that you can think of.

Thanks,

Dirk Field | PEDERNALES ELECTRIC COOPERATIVE, INC.

Electrical Distribution & Planning Manager P: (800)868-4791 Ext.7020 | M: (512)525-7898

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From: Noack, Bradley

Sent: Thursday, September 26, 2019 10:21 AM

To: Field, Dirk <dirk.field@peci.com>

Cc: Burke, Whitney < Whitney. Burke@peci.com>

Subject: RE: 1805-229 Bagdad at CR 278 - PEC Relocation Supplemental Agreement

Dirk,

I remember the county having issues with one of the landowners on the East side of the road. I can't remember exactly, but I think it might have been the Roy Sullivan property. We also had to order (3) self-supporting poles at the entrance of the Highland Oaks Subdivision because the developer wouldn't grant us an easement for anchoring. There was also concern with anchoring into a berm they have in front of the subdivision. Also, I am 99% sure we had to build that job in 2 parts, but I can't find the maps to support that. I believe it was because the county needed us to get certain poles out of the way, but we couldn't do the entire job because of telephone.

Mark Evans might remember it better than me since we worked on it much closer. Give me a call if you want to discuss it in more detail.

Thank you,

Brad Noack | PEDERNALES ELECTRIC COOPERATIVE, INC.

Electrical Distribution Design & Planning Manager

P: (830) 454-3520 | F: (830) 454-3524

Marble Falls Office: 4302 U.S. Highway 281 North, Marble Falls, TX 78654

Website | Facebook | Twitter | LinkedIn | YouTube | PEC Energy News

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From: Field, Dirk

Sent: Thursday, September 26, 2019 9:40 AM **To:** Noack, Bradley < <u>Bradley.Noack@peci.com</u>> **Cc:** Burke, Whitney < Whitney.Burke@peci.com>

Subject: FW: 1805-229 Bagdad at CR 278 - PEC Relocation Supplemental Agreement

Brad, good morning.

Please see the below email from Eddie Church and please let me know what you remember about this job.

Whit said that Schneider had to redesign a couple of times.

- 1. Easement issues.
- 2.Ditch cuts changed.
- 3. Self-supporting poles added.
- 4. County had problems with land owners.

Thanks,

Dirk Field | PEDERNALES ELECTRIC COOPERATIVE, INC.

Electrical Distribution & Planning Manager

P: (800)868-4791 Ext.7020 | M: (512)525-7898

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From: Eddie R. Church [mailto:erchurch@HNTB.com]

Sent: Monday, September 23, 2019 3:52 PM

To: Field, Dirk < dirk.field@peci.com >

Cc: 62811_1805-229_BagdadRiverRanch <61272_BagdadRd?CR2781@HNTB.com>; Hoy, Vance <Vance.Hoy@peci.com>; Burke, Whitney <Whitney.Burke@peci.com>; James Klotz <iklotz@HNTB.com</kl>; Randy Ehresman <rehresman@HNTB.com>

Subject: 1805-229 Bagdad at CR 278 - PEC Relocation Supplemental Agreement

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Dirk,

I have been working with the County Auditor to help expedite PEC's reimbursement for the Bagdad Road project. The Supplemental and the explanation to the Commissioner will need some added language regarding reasons for the increased relocation costs. The actual costs (\$143,066.52) were double the original Agreement estimate of \$72,466.60. Could you please give some specific information, regarding the increased costs (i.e. more poles, increased material costs, etc.)?

Thank you,

Eddie R. Church, PE
Project Manager
CELEBRATING 25th OFFICE ANNIVERSARY IN AUSTIN
AND MORE THAN 100 YEARS IN THE REGION
Tel (512) 527-6723 Email erchurch@hntb.com

HNTB CORPORATION

101 E. Old Settlers Blvd., Ste. 100 | Round Rock, TX 78664 | hntb.com

105 YEARS OF INFRASTRUCTURE SOLUTIONS

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Ms. Wendy Coco Williamson County Judge's Office County Courthouse 710 Main Street, Ste. 101 Georgetown, TX 78626



10/8/2019 AGENDA ITEMS

Dear Ms. Coco,

The following item has been placed on the Court Agenda. Three (3) originals of the following are attached.

• Bagdad Road at CR 278 Supplemental Utility Agreement – PEC

Once approved by the Court, please have the Judge sign in the indicated areas. The signed originals will need to be returned to HNTB for further processing. Once signed, please place in HNTB's folder and we will arrange for pick-up.

Thank you.

Best regards,

Eddie R. Church, P.E. Project Manager

Eddie Church