

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**AMENDMENT TO STANDARD UTILITY AGREEMENT
(U-0019: ZAYO GROUP, LLC)**

THIS AMENDMENT, is made and entered into by and between Fort Bend County (hereinafter "County"), a body corporate and politic under the laws of the State of Texas, and Zayo Group, LLC, (hereinafter "Utility"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Standard Utility Agreement on April 5, 2016, (hereinafter "Agreement"); and

WHEREAS, the parties desire to amend the Agreement for additional work to be performed and an increase in the costs to be reimbursed by the County for such additional work.

NOW, THEREFORE, the parties do mutually agree as follows:


1. County shall pay Utility an additional fourteen thousand six hundred fifty dollars and 56/100 (\$14,650.56), as reimbursement of fifty percent (50%) of the documented actual costs of the additional work to be performed as described in the Cost Estimate attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The maximum amount payable to Utility as reimbursement of fifty percent (50%) of the documented actual costs incurred for relocation of the utility in adjustment, removal, and/or relocation of the Utility's facilities under the terms of the Agreement is hereby increased to an amount not to exceed sixty-two thousand two hundred ninety-eight dollars and 70/100 (\$62,298.70), authorized as follows:
 \$47,648.14 under the Agreement; and
 \$14,650.56 under this Amendment.
3. In no case shall the amount paid by County for all reimbursements to be made under the Agreement and this Amendment exceed the maximum amount payable as stated in the preceding Section 2 without further written amendment of the Agreement executed by the parties.

Except as provided herein, all terms and conditions of the Agreement shall remain unchanged.

FORT BEND COUNTY

ZAYO GROUP, LLC

Robert E. Hebert, County Judge



Wendy Cassity, General Counsel

Date


6/22/2016

Date

ATTEST:

Laura Richard, County Clerk

APPROVED:



Richard W. Stolleis, P.E., County Engineer

APPROVED AS TO LEGAL FORM:

Marcus D. Spencer, First Assistant County Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$_____ to accomplish and pay the obligation of Fort Bend County under this contract.

Robert Ed Sturdivant, County Auditor

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EXHIBIT A

Sow	FM 1093 and Westpark Relo				
Description	Relocation Construction - Additional 4,467 FT of 8 Conduits + 9 HH				
Market	TX, Houston				
PA	98059			1 conduit	
Task	Quantity	Unit Price	Online Directional Boring (Contractor)	Zayo	Cost Breakdown
UGB-30690:UGB:Directional Bore Greater Than 1500':Directional Bore greater than 1500': 1 HDPE conduit up to 2"	4,467	18.50	\$ 82,639.50	\$ 10,329.94	Cost divided via pro-rata
UGB-30700:UGB:Directional Bore Greater Than 1500':Directional Bore greater than 1500': Additional HDPE conduit up to 2"	31,269	3.00	\$ 93,807.00	\$ 11,725.88	Cost divided via pro-rata
UGB-31270:UGB:Handhole / Manhole Excavation & Placement:Place New - 30"x48"x36" - Non-concrete Manhole / Handhole	9	805.00	\$ 7,245.00	\$ 1,811.25	Costs divided 4 ways.
MAT-90970:MAT:Handhole / Manhole:Tier 15 30"x48"x36" - With knock-outs and racking - Including Cover	9	650.00	\$ 5,850.00	\$ 1,462.50	Costs divided 4 ways.
MAT-90080:MAT:Conduit :Conduit: 1 1/2" HDPE SDR-11	35,736	0.64	\$ 22,871.04	\$ 2,858.88	Cost divided via pro-rata
Engineering - Golden Field Services			\$ 4,450.68	\$ 1,112.67	Costs divided 4 ways.
Total Relocation Cost				\$ 29,301.11	

Fort Bend County Reimbursement (50%)

\$ 14,650.56

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Zayo Group, LLC
Boulder, CO United States

Certificate Number:
2016-77917

Date Filed:
06/29/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

County of Fort Bend, Texas

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

23381
Utility relocation regarding FM 1093/ Westpark Mobility Bond project no 748

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

KRISTA LEIGH SANCHEZ
NOTARY PUBLIC - STATE OF COLORADO
Notary Identification #20164024731
My Commission Expires 6/29/2020

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Amy E. Rowe

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Amy E. ROWE, this the 11TH day of JULY, 2016, to certify which, witness my hand and seal of office.

Krista Leigh Sanchez KRISTA LEIGH SANCHEZ EXECUTIVE ASSISTANT
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath