

STATE OF TEXAS                    §  
   §  
COUNTY OF FORT BEND        §

**AMENDMENT TO STANDARD UTILITY AGREEMENT  
(U-0012: FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 34)**

**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 Fort Bend County Municipal Utility District No. 34, (hereinafter "Utility"), acting by and through its duly authorized representative.

WHEREAS, the parties executed and accepted that certain Standard Utility Agreement on February 9, 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:

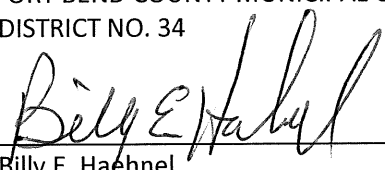
1. County shall pay Utility an additional fifty-seven thousand six hundred twelve dollars and no/100 (\$57,612.00), as reimbursement of a portion of the documented actual costs of the additional work to be performed as described in the Cost Estimate attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The maximum amount payable to Utility as reimbursement of a portion 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 one hundred forty-two thousand seventeen dollars and no/100 (\$142,017.00), authorized as follows:  
      \$84,405.00 under the Agreement; and  
      \$57,612.00 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

FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 34

\_\_\_\_\_  
Robert E. Hebert, County Judge

  
\_\_\_\_\_  
Billy E. Haehnel,  
President, Board of Directors

\_\_\_\_\_  
Date

10/17/2016  
\_\_\_\_\_  
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

I:\Marcus\FM 1093-Westpark Tollway Project\Utility Relocations\Amend 1 - Std Util Agmt.MUD 34.v2.docx

# EXHIBIT A

EXHIBIT A

Fort Bend County Municipal Utility District No. 34

F.M. 1093 12 Inch Water Line Relocation  
Phase 2

Preliminary Construction Cost Estimate  
August 22, 2016

ITEM	QUANTITY & UNIT	UNIT COST	ITEM TOTAL
<b><u>FORT BEND COUNTY ~ 100% REIMBURSABLE ITEMS</u></b>			
<b><u>UNIT A: WATER DISTRIBUTION SYSTEM</u></b>			
1. 12" Plug & Clamp	1 EA	\$ 500.00	\$ 500.00
2. 12" Plug & Clamp of Existing 12" Waterline to be Abandoned in Place	1 EA	\$ 500.00	\$ 500.00
3. 12" Wet Connect (including cutting of existing waterline and connection of proposed water line)	1 EA	\$ 1,000.00	\$ 1,000.00
<b>TOTAL, UNIT A</b>			<b>\$ 2,000.00</b>
<b><u>UNIT B: SANITARY SEWER REMOVAL</u></b>			
1. Existing 8" Sanitary Sewer Line Removal, Including all Related Appurtenances, Off-Site Disposal and Backfilling of Trench	30 LF	\$ 15.00	\$ 450.00
2. 8" Sanitary Sewer Plug	2 EA	\$ 500.00	\$ 1,000.00
<b>TOTAL, UNIT B</b>			<b>\$ 1,450.00</b>
<b><u>UNIT C: STORM WATER POLLUTION CONTROL</u></b>			
1. Enforcement and Maintenance of TPDES Requirements for Duration of Contract	1 LS	\$ 1,000.00	\$ 1,000.00
2. Stabilized Construction Access (Spec. Item 4711)	1 EA	\$ 2,500.00	\$ 2,500.00
<b>TOTAL, UNIT C</b>			<b>\$ 3,500.00</b>
<b><u>UNIT D: TRENCH SAFETY PLAN</u></b>			
1. Design and submittal of Trench Safety plan for underground utilities; prepared and sealed by an engineer licensed by the State of Texas in accordance with the contract documents.	1 LS	\$ 1,000.00	\$ 1,000.00
<b>TOTAL, UNIT D</b>			<b>\$ 1,000.00</b>

EXHIBIT A

Fort Bend County Municipal Utility District No. 34

F.M. 1093 12 Inch Water Line Relocation  
Phase 2  
Preliminary Construction Cost Estimate  
August 22, 2016

ITEM	QUANTITY & UNIT	UNIT COST	ITEM TOTAL
------	--------------------	--------------	---------------

**UNIT E: EXTRA PAY ITEMS**

The following are to be used only when directed by the Engineer and approved by the Owner. Methods will be approved by the Engineer and will be paid for at the prescribed unit prices. Utilization of these items will depend on site conditions at the time of construction.

1. Mobilization and Demobilization	1 LS	\$ 10,000.00	\$ 10,000.00
2. Orange Protective Safety Fence	200 LF	\$ 3.00	\$ 600.00
3. Containers to Haul and Dispose Off-Site Miscellaneous Debris and Trash (Containers shall have a minimum of 40 CY)	1 EA	\$ 1,000.00	\$ 1,000.00
<b>TOTAL, UNIT E</b>			<b>\$ 11,600.00</b>

**UNIT E2: TEMPORARY STORAGE FACILITY WATER SERVICE**

1. Temporary Water Service Connection for Storage Facility prior to Phase 2 Permanent Water Line Being Constructed	1 LS	\$ 4,760.00	\$ 4,760.00
<b>TOTAL, UNIT E2</b>			<b>\$ 4,760.00</b>
<b>SUB-TOTAL</b>			<b>\$ 24,310.00</b>

**FORT BEND COUNTY ~ 50% REIMBURSABLE ITEMS**

**UNIT F: WATER DISTRIBUTION SYSTEM**

1. C900-DR18 (class 150) P.V.C. Waterline (all depths) (including bends, wyes, crosses, plugs and clamps, reducers and tees):			
a. 12" Pipe	115 LF	\$ 35.00	\$ 4,025.00
2. Trenchless Waterline Installation (Includes 12" Water Pipe, Excavation, Backfill and Compaction of Bore and Receiving Pits)	125 LF	\$ 130.00	\$ 16,250.00
3. Gate Valve and Box:			
a. 12" Pipe	1 EA	\$ 2,000.00	\$ 2,000.00
4. Fire Hydrants (including leads, tee (mechanical joint) & 6" GV; all depths):	1 EA	\$ 3,000.00	\$ 3,000.00
5. Trench Safety System	115 LF	\$ 1.00	\$ 115.00
6. Existing Water Line Removal, Including all Related Water Line Appurtenances, Off-Site Disposal and Backfilling of Trench			
a. 12" Pipe	20 LF	\$ 15.00	\$ 300.00
7. On-site Disposal of Excess Utility Excavation (includes disposal of said material at a location which the Contractor has a legal right and permission to dispose of said material)	1 LS	\$ 1,000.00	\$ 1,000.00
<b>TOTAL, UNIT F</b>			<b>\$ 26,690.00</b>

**EXHIBIT A**

**Fort Bend County Municipal Utility District No. 34**

**F.M. 1093 12 Inch Water Line Relocation  
Phase 2  
Preliminary Construction Cost Estimate  
August 22, 2016**

ITEM	QUANTITY & UNIT	UNIT COST	ITEM TOTAL
<b><u>UNIT G: STORM WATER POLLUTION CONTROL</u></b>			
1. Reinforced Filter Fabric Fence (Spec. Item 4311)	240 LF	\$ 2.50	\$ 600.00
2. Hydro-mulch Seeding of disturbed areas (final quantity to be determined by engineer as per field conditions) (Spec. Item 4241)	1.0 LS	\$ 1,500.00	\$ 1,500.00
<b>TOTAL, UNIT G</b>			<b>\$ 2,100.00</b>
<b>SUB-TOTAL</b>			<b>\$ 28,790.00</b>
<b><u>SUMMARY - F.M. 1093 12 INCH WATER LINE RELOCATION PHASE 2</u></b>			
<b>FORT BEND COUNTY ~ 100% REIMBURSABLE ITEMS</b>			
UNIT A: WATER DISTRIBUTION SYSTEM			\$ 2,000.00
UNIT B: SANITARY SEWER REMOVAL			\$ 1,450.00
UNIT C: STORM WATER POLLUTION CONTROL			\$ 3,500.00
UNIT D: TRENCH SAFETY PLAN			\$ 1,000.00
UNIT E: EXTRA PAY ITEMS			\$ 11,600.00
UNIT E2: TEMPORARY STORAGE FACILITY WATER SERVICE			\$ 4,760.00
<b>SUB-TOTAL</b>			<b>\$ 24,310.00</b>
<b>FORT BEND COUNTY ~ 50% REIMBURSABLE ITEMS</b>			
UNIT F: WATER DISTRIBUTION SYSTEM			\$ 26,690.00
UNIT G: STORM WATER POLLUTION CONTROL			\$ 2,100.00
<b>SUB-TOTAL</b>			<b>\$ 28,790.00</b>
<b>CONSTRUCTION TOTAL</b>			<b>\$ 53,100.00</b>
<b>CONTINGENCIES (10%)</b>			<b>\$ 5,310.00</b>
<b>ENGINEERING</b>			<b>\$ 30,000.00</b>
<b>MATERIALS TESTING</b>			<b>\$ 2,500.00</b>
<b>ESTIMATED TOTAL</b>			<b>\$ 90,910.00</b>
<b>TOTAL FORT BEND COUNTY REIMBURSEMENT</b>		<b>=</b>	<b>\$57,612</b>



Transmittal

Date: October 19, 2016

To: Ms. Jillian Peterson  
Special Projects Coordinator  
Fort Bend County Engineering  
301 Jackson St., 4<sup>th</sup> Floor  
Richmond, Texas 77469  
(281) 633-7507

From: Jeff R. Safe, PE

Reference: **FM 1093 Westpark Extension  
Amendment to Standard Utility Agreement  
(U-0012: Fort Bend County MUD No. 34)**

---

Item No.	Number of Copies	Description
1.	2	Original Amendment to Standard Utility Agreements (U-0012: Fort Bend County MUD No. 34)
2.		
3.		
4.		

Ms. Peterson,

At the direction of Michael Kaspar with Dannenbaum Engineering, enclosed are two (2) original Amendments to the Standard Utility Agreement (U-0012: Fort Bend County MUD No. 34) for the FM 1093 Westpark Extension project. After execution and acceptance by Fort Bend County, please forward a copy to my attention for FBCMUD 34 records. Thank you for your assistance with this matter and please let me know if you need anything additional.

Sincerely,

Jeff Safe, P.E.  
Brown & Gay Engineers, Inc.  
10777 Westheimer, Suite 400  
Houston, Texas 77042  
(281) 558-8700