

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**AMENDMENT TO AGREEMENT FOR
FAIRGROUNDS LIVESTOCK AUCTION BARN
RFP 16-100**

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 Crain Group, LLC (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Fairgrounds Livestock Auction Barn related to the construction of the new facility, (hereinafter "Agreement") pursuant to RFP 16-100; and

WHEREAS, the parties desire to amend the Agreement for additional services to be provided and increase the Maximum Compensation payable to Contractor for the completion of such additional Services.

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

1. County shall pay Contractor an additional thirty-four thousand two hundred two dollars and 47/100 (\$34,202.47) for the additional services, as described in Change Order Number 001 attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for all Services rendered is hereby increased to an amount not to exceed three million nine hundred ninety-six thousand two hundred two dollars and 47/100 (\$3,996,202.47), authorized as follows:

\$3,962,000.00 under the Agreement; and
\$34,202.47 under this Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without an agreement executed by the parties.
4. The Time of Performance for the additional services to be provided under this Amendment shall begin with receipt of the Notice to Proceed from the County and end no later than forty-five (45) calendar days thereafter. Contractor shall complete the tasks described in Exhibit A within this time or within such additional time as may be extended by the County.
5. Certain State Law Requirements for Contracts
 - a. Agreement to Not Boycott Israel Chapter 2270 Texas Government Code: By signature below, Contractor verifies Contractor does not boycott Israel and will not boycott Israel during the term of this Agreement.

- b. Texas Government Code Section 2251.152 Acknowledgment: By signature below, Contractor represents pursuant to Section 2252.152 of the Texas Government Code, that Contractor is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153.

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

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY

CRAIN GROUP, LLC

Robert E. Hebert, County Judge

Authorized Agent - Signature

Date

Authorized Agent - Printed Name

Title

Date

APPROVED:

James Knight
Facilities Management/Planning Director

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

EXHIBIT A

AIA® Document G701™ - 2001

Change Order

PROJECT (Name and address):

FBC Livestock Auction Barn
4310 State Highway 36
Rosenberg, Texas 77471

CHANGE ORDER NUMBER: 001

DATE: May 10, 2018

OWNER: ☒

ARCHITECT: ☐

CONTRACTOR: ☒

FIELD: ☐

OTHER: ☐

TO CONTRACTOR (Name and address):

Crain Group, L.L.C.
3801 Knapp Road
Pearland, Texas 77584

ARCHITECT'S PROJECT NUMBER: NA

CONTRACT DATE: October 6, 2016

CONTRACT FOR: General Construction

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Furnish all equipment, material, and labor to install 11 (eleven) 16' long x 3.5' tall and 1 (one) 40' long x 3.5' tall pony walls with cast stone caps. Furnish all equipment, material, and labor to demo existing cattle wash rack rails and install taller rails. price includes a credit for unused contingency in the amount of \$4,189.73

The original Contract Sum was

\$ 3,962,000.00

The net change by previously authorized Change Orders

\$ 0.00

The Contract Sum prior to this Change Order was

\$ 3,962,000.00

The Contract Sum will be increased by this Change Order in the amount of

\$ 34,202.47

The new Contract Sum including this Change Order will be

\$ 3,996,202.47

The Contract Time will be increased by zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is NA

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Sustaita Architects A.I.A. Inc.

ARCHITECT (Firm name)

2825 Wilcrest
Houston, TX 77042

ADDRESS

BY (Signature)

Abram Sustaita

(Typed name)

DATE

5/11/18

Crain Group, L.L.C.

CONTRACTOR (Firm name)

3801 Knapp Road
Pearland, Texas 77581

ADDRESS

BY (Signature)

Chris Holley

(Typed name)

DATE

5/10/18

Fort Bend County

OWNER (Firm name)

301 Jackson Street, Suite 719
Richmond, Texas 77469

ADDRESS

BY (Signature)

Judge Robert Hebert

(Typed name)

DATE



Change Proposal Request #14

5/8/2018

PROJECT:

FBC Livestock Auction Barn
4310 SH 36 South
Rosenberg, Tx 77471

| DESCRIPTION | QTY | UNIT | RATE | ITEM TOTAL | DIVISION TOTAL |
|---|-----|------|-----------|------------|----------------|
| 1 Install 3'6" CMU benches with cast stone cap. | 1 | ls | 28,296.00 | 28,296.00 | |

| | | |
|----------|-----------|-------------|
| Subtotal | 28,296.00 | \$28,296.00 |
|----------|-----------|-------------|

| | | |
|------------------|-----|------------|
| Crain Group OH&P | 10% | \$2,829.60 |
|------------------|-----|------------|

| | | |
|-------------|--|-------------|
| Grand Total | | \$31,125.60 |
|-------------|--|-------------|

QUALIFICATIONS:

1 See attached proposal

APPROVED BY:

DATE:

Able & Willing Const., Inc.

13721 Almeda School Rd.
Houston, TX 77047
(281)723-3001 (713)433-1379

BID SHEET

Project: Ft. Bend auction barn

Date: 5/2/2018

Comp: Crain
To: Chris
Phone: 713-436-8727
Fax:
Email:

From: Raymond Jessup
Comp: Able & Willing
Phone: 281-723-3001
Fax: 713-433-1379
Email: csmrj2@gmail.com

PRICES

Block

\$28,296.00

Includes: split face block benches with cast stone cap

Excludes: caulking, waterproofing, lenils, flashing



Change Proposal Request #15

5/10/2018

PROJECT:

FBC Livestock Auction Barn
4310 SH 36 South
Rosenberg, Tx 77471

| DESCRIPTION | QTY | UNIT | RATE | ITEM TOTAL | DIVISION TOTAL |
|---|-----|------|----------|------------|----------------|
| 1 Replace 5 rails at the Cattle Wash Rack | 1 | ls | 6,106.00 | 6,106.00 | |
| 2 Dumpster | 1 | ls | 500.00 | 500.00 | |

| | | |
|----------|----------|------------|
| Subtotal | 6,606.00 | \$6,606.00 |
|----------|----------|------------|

| | | |
|------------------|-----|----------|
| Crain Group OH&P | 10% | \$660.60 |
|------------------|-----|----------|

| | | |
|-------------|--|------------|
| Grand Total | | \$7,266.60 |
|-------------|--|------------|

QUALIFICATIONS:

- 1 See attached proposal

APPROVED BY: _____

DATE: _____

ABA Construction Services.

1119 Fairlane Sq

Channelview, Texas 77530

Telephone 281.8571063 / abaconstructionservices69@yahoo.co

Oct 19, 2017

**Crain Group
Chris /Tony**

**RE: Fort Bend Auction Barn
4310 Hwy 36, Fort Bend City**

Thank you for allowing us the opportunity to propose the following bid regarding work to be performed at the above referenced job site:

- Remove existing Railing to be replaced
- Core Drill 23 8 inch cores to 8 inch depth
- Dig out 23 holes additional dirt for total depth 18 inches
- Fill 23 holes with 18 inches of concrete and install new railing
-

Our bid for this job opportunity is 3,086.00
Price based on Two mobilization.

ABA Construction Services will not be responsible for any unforeseen underground structures or hazardous materials; this includes utility lines, plumbing lines, and gas lines.

Thank you for your consideration. If you have any questions or would like to discuss this proposal please give me a call.

Sincerely,
Andrew Guptill
President