

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**AMENDMENT TO STANDARD UTILITY AGREEMENT
DCP Intrastate Network (TxDOT No. U-15370)**

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 DCP Intrastate Network, LLC (hereinafter "Utility"), acting by and through its duly authorized representative.

WHEREAS, the parties executed and accepted that certain Standard Utility Agreement on October 2, 2018, (hereinafter "Agreement"); and

WHEREAS, the parties desire to amend the Agreement to reflect the actual costs incurred for the work performed and increase the amount to be reimbursed by the County based on such actual costs.

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

1. County shall pay Utility an additional thirty-one thousand seven hundred one and 62/100 dollars, as reimbursement of the eligible portion of the documented actual costs of the work performed under the Agreement, as reflected in the invoices and supporting documents attached hereto as Exhibit A and incorporated herein for all purposes.
2. The maximum amount payable to Utility as reimbursement 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 two hundred fifteen thousand one hundred seventy-six dollars and 48/100 dollars (\$215,176.48), authorized as follows:

\$183,474.86 under the Agreement based on estimated costs; and
\$ 31,701.62 under this Amendment reflecting the total amount of actual costs in excess of the estimated costs.
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.
4. 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.

FORT BEND COUNTY

**TxDOT No. U-15370:
DCP INTRASTATE NETWORK, LLC**

KP George, County Judge



Travis L. Hammons, Attorney-in-fact

Date

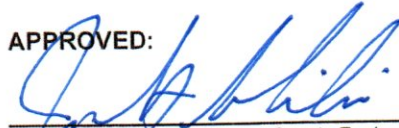
4-2-19

Date

ATTEST:

Laura Richard, County Clerk

APPROVED:



Stacy Slawinski, P.E., Interim 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, CPA, County Auditor

EXHIBIT A

Construction Cost Estimate (Amended)

DCP Midstream Cost Estimate
Crabb River Rd.
TxDOT CSJ 0543-03-067, etc.

Lower 16" gas line by directional bore

Updated 1-21-2019

Materials

Item Description	Quantity	Unit	Unit Price	Cost	Notes
16" x 0.375" x-52 ARO*	560	ft	\$ 71.11	\$ 39,821.60	Today's price not locked in for June. This wall thickness is needed to withstand the additional forces associated with horizontal directional drilling (HDD) installation. Abrasion Resistant Outer coating (ARO) is needed to withstand possible abrasion during HDD installation.
16" x 0.312" x-52 FBE*	230	ft	\$ 38.50	\$ 8,855.00	This wall thickness can be used for the portions of the project that is not bored, due to the lower forces associated with open-cut installation. Fusion Bonded Epoxy (FBE) is the standard outer protective coating on the pipe, which is used to prevent corrosion.
4.5" x 0.237" X-52 FBE*	100	ft	\$ 11.06	\$ 1,106.00	
Test leads PVC with 12 ga wire	2	ea	\$ 45.00	\$ 90.00	
Coating	40	ea	\$ 101.50	\$ 4,060.00	
Fittings*	1	lot	\$ 13,258.00	\$ 13,258.00	All 3 R 90's, 45's, flanges, pipe coating, bolts and gaskets
Signs	2	ea	\$ 35.00	\$ 70.00	
Existing pipe fill (abandon)	157	ft	\$ 35.00	\$ 5,495.00	concrete, pump truck ,caps
Hydro water/hauling	256	bbls	\$ 8.56	\$ 2,191.36	frac tanks hauling, hauling of fresh water, tank rental, water
Hydro disposal/hauling	256	bbls	\$ 8.67	\$ 2,219.52	frac tank cleaning, disposal of water and hauling of water
			Subtotal	\$ 77,166.48	
			Overhead	\$ -	
			Total	\$ 77,166.48	

* Material is certified Buy America-compliant; please see TxDOT Form 1818 for details (attached).

Labor

Item Description	Quantity	Unit	Unit Price	Cost	Notes
Installation of pipeline	830	ft	\$ 203.86	\$ 169,201.23	New Cost due to time frame & new contractor
Survey	2	days	\$ 4,000.00	\$ 8,000.00	for bore profile
ROW agent	6	days	\$ 650.00	\$ 3,900.00	
ROW (RODS)	5.6	rods	\$ 750.00	\$ 4,200.00	new 4" line since the old 16" being replaced
Matting	10	days	\$ 480.00	\$ 4,800.00	16 mats per day at \$30 each per day
Inspection	14	days	\$ 914.00	\$ 12,796.00	
Misc. materials	0		\$ -	\$ -	
Valve setting	0		\$ -	\$ -	
Damages per acre	0.5	acre	\$ 5,000.00	\$ 2,500.00	
Environmental survey	0		\$ -	\$ -	
X-ray labor	5	days	\$ 2,100.00	\$ 10,500.00	
Bore footage	500	ft	\$ 111.10	\$ 55,550.00	new price
Hydro test/tanks	4	ea	\$ 1,000.00	\$ 4,000.00	
Pothole	2	days	\$ 2,899.00	\$ 5,798.00	
Paint / clean up	0		\$ -	\$ -	
County/State permits	0		\$ -	\$ -	
Freight	24	tons	\$ 68.00	\$ 1,632.00	charge for pipe and fittings by logistics
Trucking			\$ -	\$ -	trucking charge from storage by contractor moved to Const.
FESCO flare gas	2	days	\$ 11,000.00	\$ 22,000.00	Labor, equipment to dpressurize pipeline by flaring. FESCO is the flaring contractor.
Installation to existing line	0		\$ -	\$ -	
Regulator valve	0		\$ -	\$ -	
Launcher/receiver	0		\$ -	\$ -	
PMI	1	day	\$ 2,200.00	\$ 2,200.00	Positive Material Identification (PMI) - metallurgical for welding procedure due to age of pipe
			Subtotal	\$ 307,077.23	
			Overhead	\$ -	
			Total	\$ 307,077.23	

Materials	\$ 77,166.48
Labor	\$ 307,077.23
Grand Total	\$ 384,243.71

EXHIBIT B

Eligibility Ratio

ELIGIBILITY RATIO
AMENDMENT 1
DCP INTRASTATE NETWORK RELOCATIONS
TxDOT CSJ 0543-03-067, ETC.

New total relocation cost	\$ 384,243.71
Original total relocation cost	\$ 327,633.68
Total increase in cost	\$ 56,610.03

Ratio = (Width of DCP Midstream property interest across prop ROW /
Width of full new ROW) * 100%

= (101.22 ft / 181.43 ft) * 100%

= 56% of actual, invoiced costs

Cost Distribution

Est cost for which Fort Bend Co. is responsible	=	56% * \$ 384,243.71
(to be reimbursed by TxDOT)	=	\$ 215,176.48
Est cost for which DCP Midstream is responsible	=	44% * \$ 384,243.71
	=	\$ 169,067.23