

STATE OF TEXAS                    §  
  §  
COUNTY OF FORT BEND         §

**THIRD AMENDMENT TO AGREEMENT FOR  
CONSTRUCTION – JUSTICE CENTER EXPANSION  
RFP 17-037**

**THIS THIRD 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 Brookstone, LP, (hereinafter “Contractor”), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Construction on February 14, 2017, (hereinafter “Agreement”) pursuant to RFP 17-037, as amended by documents executed on April 3, 2018, (hereinafter “Amendment”), and December 18, 2018, (hereinafter “Second Amendment”); and

WHEREAS, the parties desire to further amend the Agreement to reflect the additional Services to be provided and increase the total Maximum Compensation for the provision of such Services under this Third Amendment.

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

1. County shall increase the amount payable to Contractor by thirty thousand three hundred fifty-four dollars and 00/100 (\$30,354.00), for certain modifications to the Fort Bend District Attorney’s Offices as described in Contractor’s Change Order Number 3 dated March 26, 2019, attached hereto as Exhibit “A” and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed twenty-two million six hundred fifteen thousand eight hundred thirty-one dollars and 00/100 (\$22,615,831.00), authorized as follows:
  - \$20,447,000.00 under the Agreement;
  - \$2,274,165.00 under the Amendment;
  - \$135,688.00 reduction under the Second Amendment; and a
  - \$30,354.00 increase under this Third Amendment.
3. The time for performance of the Scope of Services under Contractor’s Change Order Number 3 shall begin with receipt of the Notice to Proceed from County and end no later than ninety (90) days thereafter.
4. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without written agreement executed by both parties.

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

FORT BEND COUNTY

BROOKSTONE, LP

By: Brookstone Management, LLC

\_\_\_\_\_  
KP George, County Judge

  
\_\_\_\_\_  
Authorized Agent – Signature

\_\_\_\_\_  
Date

Ryan Busking  
\_\_\_\_\_  
Authorized Agent – Printed Name

ATTEST:

Vice President  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Laura Richard, County Clerk

4/24/19  
\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
James Knight, Facilities Management/Planning Director

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

# EXHIBIT A

**CHANGE  
ORDER**

- OWNER
- ARCHITECT
- CONTRACTOR
- FIELD
- OTHER

AIA DOCUMENT G701

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<b>PROJECT:</b> Fort Bend County Justice Center Expansion	<b>CHANGE ORDER NUMBER:</b> 003
	<b>DATE:</b> 3/26/19
	<b>ARCHITECT'S PROJECT NO.:</b>
<b>TO CONTRACTOR:</b> Brookstone, LP 3715 Dacoma, Houston, TX 77092	<b>CONTRACT DATE:</b> 2/14/17
	<b>CONTRACT FOR:</b> General Construction


The Contract is changed as follows:  
**Modifications to DA Offices per attached.**  
**This change is independent of the original project substantial completion date and retainage.**

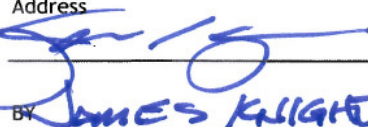
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Not valid until signed by the Owner, Architect and Contractor.

The original Contract Sum was	<u>\$20,447,000</u>
Net change by previously authorized Change orders	<u>\$2,138,477</u>
The Contract Sum prior to this Change order was	<u>\$22,585,477</u>
The Contract Sum will be increased	
by this Change Order in the amount of	<u>\$30,354</u>
The new Contract Sum including this Change order will be	<u>\$22,615,831</u>
The Contract Time will be unchanged by	0
The date of Substantial Completion as of the date of this Change Order therefore is	11/1/2018

PGAL  
 ARCHITECT  
 3131 Briarpark Drive, Houston, TX 77042  
 Address  
  
 BY PAUL D. BONNETTE  
 DATE 4/23/19

Brookstone, LP  
 CONTRACTOR  
 3715 Dacoma, Houston, TX 77092  
 Address  
  
 BY Ryan Busking  
 DATE 4/22/19

Fort Bend County  
 OWNER  
 301 Jackson Street, Richmond, TX  
 Address  
  
 BY JAMES KNIGHT  
 DATE 4.23.19

**DA Office Modifications**

Glass enclosure for the worthless check counter, room 21125.	1,500
Intake expansion of Room 11107 into the two offices, Room 11045 & 11046	24,000
Administrative expansion from 21012 & 21011 into room 21010	16,000
Funding from Owner Contingency	(1,562)
Architect reimbursement for mis-specified handrail	(9,584)
<b>Total</b>	<b>30,354</b>

Including weekend work for demo, using carpet from attic stock; no HVAC, fire alarm, or sprinkler