

STATE OF TEXAS                   §  
  §  
COUNTY OF FORT BEND       §

**THIRD AMENDMENT TO AGREEMENT FOR  
REHABILITATION OF MISSOURI CITY GYMNASIUM  
RFP 19-056**

**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 Teal Construction Company, (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas (hereinafter collectively referred to as the "parties").

WHEREAS, the parties executed and accepted that certain Agreement for the Rehabilitation of Missouri City Gymnasium pursuant to RFP 19-056, (hereinafter the "Agreement"); and as amended by document executed on March 31, 2020, and on June 9, 2020 (hereinafter collectively the "Amendments"), incorporated by reference; and

WHEREAS, the parties desire to amend the Agreement to extend the Time of Performance under the Agreement, and decrease the total Maximum Compensation payable to Contractor.

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

1. The parties hereby agree to extend the Time of Performance under the Agreement for an additional Sixty-One (61) days, and the new date of Substantial Completion will be no later than October 1, 2020, as described in Change Order No. 3, attached as Exhibit "A" and incorporated by reference.
2. County will reduce the amount payable to Contractor in the amount of Sixteen Thousand, Four Hundred Seventy-Two and 63/100 (\$16,472.63) as reflected in Contractor's AIA Document G701-2017, attached hereto as Exhibit "B" and incorporated herein for all purposes.
3. The Maximum Compensation payable to Contractor for Services rendered is hereby decreased to Four Million, Seven Hundred Sixty-Five Thousand, Thirty-Six and 91/100 (\$4,765,036.91), authorized as follows:  
                          \$4,765,036.91 under the Agreement and Amendments; and  
                          Less \$16,472.63 under this Amendment.

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

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

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

TEAL CONSTRUCTION COMPANY

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

  
Authorized Agent – Signature

\_\_\_\_\_  
Date

Michael A. Morale  
Authorized Agent – Printed Name

ATTEST:  
\_\_\_\_\_

Project Manager  
Title

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

4/7/2021  
Date

APPROVED:

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

**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 No. 3 and  
Exhibit B: AIA Document G701-2017

# EXHIBIT A



---

Teal Construction Company Construction Managers · General Contractors | 1335 Brittmoore Rd, Houston, TX 77043 | P: 713-465-8306 F: 713-465-9837

Change Order No. 3  
Agreement for Rehabilitation  
of Missouri City Gymnasium  
RFP #19-056  
PO # 179514  
Missouri City Gym Rehab  
October 19, 2020

### **Description of Change Order 3.**

In Accordance with Section 5, Time of Performance, subsection 5.2, Teal Construction Company is requesting additional time to complete the above-mentioned project. Due to the unforeseen delays caused by COVID-19 and additional changes of scope as requested, Teal Construction Company requests that the contract be extended by sixty-one (61) days to achieve substantial completion on Oct 1, 2020. No costs are to be assessed in this change order as it pertains to the time extension.

Michael Morale  
Project Manager  
Teal Construction Company

James Knight  
Facilities Director  
Fort Bend County

# EXHIBIT B

# AIA® Document G701™ – 2017

## Change Order

<b>PROJECT:</b> <i>(Name and address)</i> Fort Bend Gym Rehab 100 Louisiana St Missouri City Tx 77489	<b>CONTRACT INFORMATION:</b> Contract For: General Construction Date: 8/1/2019	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 004 Date: 1.22.2021
<b>OWNER:</b> <i>(Name and address)</i> Fort Bend County 301 Jackson St Suite 301 Richmond Tx 77469	<b>ARCHITECT:</b> <i>(Name and address)</i> AUTOARCH Architects 6200 Savoy, Suite 100 Houston Tx 77036	<b>CONTRACTOR:</b> <i>(Name and address)</i> Teal Construction Company 1335 Brittmoore Rd Houston Tx 77043

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

Additional Time as agreed upon


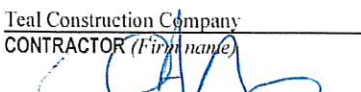
The original Contract Sum was	\$ 4,365,600.00
The net change by previously authorized Change Orders	\$ 415,909.54
The Contract Sum prior to this Change Order was	\$ 4,781,509.54
The Contract Sum will be decreased by this Change Order in the amount of	\$ 16,472.63
The new Contract Sum including this Change Order will be	\$ 4,765,036.91

The Contract Time will be unchanged by Zero (0) days.

The new date of Substantial Completion will be October 1st Twenty Twenty, 10/1/2020

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that 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.

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

<u>AUTOARCH Architects</u> ARCHITECT <i>(Firm name)</i>	<u>Teal Construction Company</u> CONTRACTOR <i>(Firm name)</i>	<u>Fort Bend County</u> OWNER <i>(Firm name)</i>
		
SIGNATURE	SIGNATURE	SIGNATURE
<u>LINA SABOUNI, AIA.</u>	<u>Michael A. Morale</u>	
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
<u>03.04.2021</u>	<u>3.04.2021</u>	
DATE	DATE	DATE