

29B

FORT BEND COUNTY FY 2010  
COMMISSIONERS COURT AGENDA REQUEST FORM  
Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: August 18, 2010

Submitted By: Laura Dougherty ✓  
Department: Facilities Management & Planning  
Phone Number: 281-633-7017

Court Agenda Date: August 24, 2010

**SUMMARY OF ITEM:** Take all appropriate action on Change Order No. 004 from Turner Construction Company, to add the language for payment and performance bond related to the Communications Center Renovation.

RENEWAL AGREEMENT/APPOINTMENT YES ☐ NO ☐  
REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES ☒ NO ☐

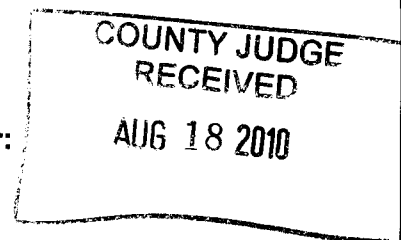
List Supporting Documents Attached: Change Order No. 004

**FINANCIAL SUMMARY:**

BUDGETED ITEM: YES ☒ NO ☐

FUNDNG SOURCE: Accounting Unit: Activity (If Applicable): Account Number:

DESCRIPTION OF LAWSON ACCOUNT: Jail Expansion Project



**Instructions to submit Agenda Request Form:**

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

**DISTRIBUTION:**

Original Form Submitted with back up to County Judge's Office ☐ (✓ when completed)

If by E-Mail to [ospindon@co.fort-bend.tx.us](mailto:ospindon@co.fort-bend.tx.us)

If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

<input checked="" type="checkbox"/> Auditor (281-341-3774)	<input checked="" type="checkbox"/> Comm. Pct. 1 (281-342-0587)
<input checked="" type="checkbox"/> Budget Officer (281-344-3954)	<input checked="" type="checkbox"/> Comm. Pct. 2 (281-403-8009)
<input checked="" type="checkbox"/> Facilities/Planning (281-633-7022)	<input checked="" type="checkbox"/> Comm. Pct. 3 (281-242-9060)
<input checked="" type="checkbox"/> Purchasing Agent (281-341-8642)	<input checked="" type="checkbox"/> Comm. Pct. 4 (281-980-9077)
<input checked="" type="checkbox"/> Information Technology (281-341-4526)	<input checked="" type="checkbox"/> County Clerk (281-341-8697)
<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> County Atty (281-341-4557)

**RECOMMENDATION / ACTION REQUESTED:**

Special Handling Requested (specify): Please Approve

9-13-10 3 origs. ret. to Laura at Facilities

## CHANGE ORDER

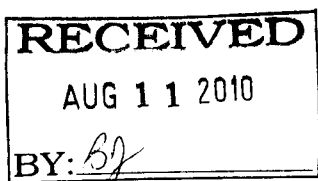
Date: August 5, 2010

Fort Bend County Commissioners Court  
301 Jackson St., Suite 719  
Richmond, Texas 77469  
Attention: Robert Herbert, PH.D., County Judge  
Facsimile Number: (281) 341-8609

RE: Change Order No. 004 \_\_\_\_\_  
Project No. & Name of Project: Fort Bend County Jail Expansion

1. Submission of this change order for consideration was authorized by direction of the Owner.
2. The changes hereinafter described are applicable to the contract for the construction of Fort Bend County Jail Expansion at Richmond, Texas, executed by and between the Fort Bend County, Texas, Owner, and Turner Construction Company, Construction Manager, dated March 6, 2007.
3. Description of Change:
  1. **To include contract language for Fort Bend County Sheriff's Office Communications Center Renovation and Expansion for payment and performance bond as provided in the attached Exhibit A.**
4. This change order is deemed necessary and originated with the *Construction Manager*.
5. The changes are necessary to:

**Provide a separate payment and performance bond in the amount of \$2,842,219 which includes CO No. 002 design services and CO No. 003 Construction services for Fort Bend County Sheriff's Office Communications Center Renovation and Expansion.**
6. This change order will be a \$0 (zero dollar) change order to the GMP signed and dated 6/22/10.
7. This change order will be a 0 (zero) day change to the schedule.
8. The payment and extension of time (if any) provided by this change order constitutes compensation in full on behalf of the Construction Manager and its Trade Contractors and suppliers for all costs and markups, directly and indirectly attributable to the changes ordered herein, for all delays related thereto and for performance of changes within the time stated.



Change Order 004

RECOMMENDED FOR OWNER'S ACCEPTANCE:

Turner Construction Company  
Construction Manager

By: Tony Vich

Donald G. Brady  
Director, Fort Bend County Facilities Management and Planning

Donald G. Brady

APPROVED:

Owner  
County of Fort Bend Commissioners Court

By: Robert E. Herbert  
Robert E. Herbert, County Judge 8-24-10

ATTEST:

By: Dianne Wilson  
Dianne Wilson, County Clerk

Date: 8-24-10

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in an amount not to exceed \$ 0, plus  
\$ 0 in Reimbursable expenses, to accomplish and pay the obligation of Fort Bend County  
in the foregoing matter

Robert Ed Sturdivant  
Robert Ed Sturdivant, County Auditor

## EXHIBIT A



**Turner Construction  
Company**  
4263 Dacoma Street  
Houston, TX  
Phone: 713-840-8441  
Fax: 713-840-8365

August 5, 2010

Mr. Don Brady  
Fort Bend County Facilities Management & Planning  
1517 Eugene Heimann Circle  
Richmond, TX 77469

Re: Fort Bend County Jail Expansion – 911 Call Center Renovation Project Change Order #4 to contract language.

Don:

Please see and accept the language below as added language to the contract for the Payment and performance bond. We request your approval to proceed with obtaining the bond and executing it for the amount of \$2,842,219.00.

**Please add this language to Change Order No. 003:**

- Contractor shall provide separate performance and payment bonds for each phase of the Work to be performed under the Contract, each in a penal amount equal to the dollar amount for which the Contractor agreed to perform the Work included in the applicable phase. Any failure of Contractor to provide bonds for any phase of the Work shall not be a breach under any bond provided for any other phase of the Work to be performed under the Contract. Notwithstanding any language in the Contract to the contrary, the Contract balance for Work to be performed under any phase of the Contract shall not be reduced or set off on account of any obligation of Contractor, contractual or otherwise, except the reasonable construction cost incurred in completing the Work under the applicable phase.

Sincerely,

A handwritten signature in black ink that reads "Jason Ponce".

Jason Ponce  
Turner Construction Company

Cc: File, Brandon Gaeke, Henry Villarreal, Joseph P. Glowacki