

**Modification/Change Order No.2**

PO Number: 178925

Fort Bend County, Texas

EWP – Cane Island Branch of Buffalo Bayou Channel Bank Stabilization Phase I

Fort Bend County, Texas

August 16, 2019

<b>CHANGE ORDER/MODIFICATION NO. 2</b>		Effective Date:	Page 1 of 2
Contract: P.O.# 178925	Dated: 7/1/2019	Project: EWP – Cane Island Branch of Buffalo Bayou Channel Bank Stabilization Phase I	
Issued By (Contracting Local Organization): Fort Bend County		Issued To (Contractor): Shirley & Sons Construction Company Inc.	
TYPE OF MODIFICATION ( <i>check appropriate box below</i> )			
<input checked="" type="checkbox"/> CHANGE ORDER: Issued pursuant to Article 14.4 the changes set forth below are made by this modification.			
Contract Price	\$ 1,950,252.30	PERFORMANCE TIME: No Change	
Net Increase in Contract Price:	\$ 8,000.00		
REVISED Contract Price:	\$ 2,003,971.15		
ATTACHMENTS ( <i>If none, so state</i> ):			
This modification is hereby made a part of the contract. Except as provided herein, all terms and conditions of the original contract (as revised) remain unchanged and in full force and effect.			
<b>CONTRACTOR'S RELEASE OF CLAIMS</b>			
In consideration of the modification agreed to herein as complete equitable adjustment for the Contractors proposal, dated 8-16-19, the Contractor hereby releases Fort Bend County from any and all liability under this contract for further equitable adjustments attributable to such facts or circumstances concerning the added work for the above added work, including all impacts to the work, overhead and profit.			
Recommended By:(print or type name/title of signer)			
Thomas P. Beach, PE M&E Consultants <i>Thomas P. Beach</i>			
<b>Important Note:</b> Contractor IS required to sign this document and return two (2) copies to the issuing office.			
CONTRACTOR (print or type name/title of signer)		Sponsors/Contracting Local Organization	
<i>Randall Shirley President</i>		Adam Wright Fort Bend County Drainage District	
SIGNATURE (person authorized to sign)	DATE	SIGNATURE (Project Manager)	DATE
<i>[Signature]</i>	8-16-19	<i>[Signature]</i>	8/6/19

Justification for Change Order #2  
PO Number: 178925  
Fort Bend County, Texas  
EWP Cane Island Branch Channel Bank Stabilization  
Fort Bend County, Texas  
August 16, 2019

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Thomas P. Beach, PE, M& E Consultants

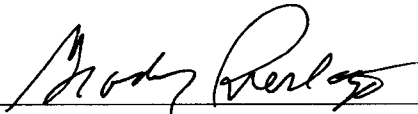
Date:

During a test installation of the specified Jet Filters, the Design Engineer noticed the filter did not have the stainless cover and the backflow preventer. The plans were checked and the specified product number on the plans were not correct, therefore the construction engineer approved the specified product on the plans and the contractor furnished the stated ones on the plans.

I called the contractor to asked to submit a price for the change in Model numbers. Ron Shirley said there was a \$40.00 difference per filter plus freight cost. The total would be \$8,000.00.

After calling Adam Wright, FBCDD Project Manager, who agreed with the change. I called Ron Shirley to get the order started. He stated the product was available and should be shipped to the job site Monday. After visiting with Trent Street, Design Engineer and Adam Wright, Project Manager it was agreed to change based on contractor's proposal.

I agree that this price is reasonable and equitable, based on the material cost, and freight cost. There is no change in labor or equipment for the change. The Contractor did not request a time extension, due to the availability of the Jet Filters.



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Fort Bend County Drainage District Concurrence

Date

Grady Prestage, Commissioner, Precinct 2  
Presiding Officer, Commissioners Court, November 26, 2019

# CERTIFICATE OF INTERESTED PARTIES

FORM **1295**

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY  
 CERTIFICATION OF FILING**

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
 shirley & sons construction co.,inc.  
 CLEVELAND, TX United States

**Certificate Number:**  
 2019-530027

**Date Filed:**  
 08/19/2019

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**  
 Fort Bend County

**Date Acknowledged:**  
 11/26/2019

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
 B19-069  
 Emergency Watershed Protection - Cane Island Branch Channel Bank Stabilization Change Order No. 2

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**5 Check only if there is NO Interested Party.**

**6 UNSWORN DECLARATION**

My name is \_\_\_\_\_, and my date of birth is \_\_\_\_\_.

My address is \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(month) (year)

\_\_\_\_\_  
 Signature of authorized agent of contracting business entity  
 (Declarant)