

**Modification/Change Order No.2 (Revised)**

PO# 189195

Fort Bend County, Texas

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

Fort Bend County, Texas

July 13, 2020

<b>CHANGE ORDER/MODIFICATION NO. 2</b>		Effective Date:	Page 1 of 2
Contract: P.O.# 189195	Dated: 5/20/2020	Project: EWP – Willowfork of Buffalo Bayou Channel Bank Stabilization Phase IV	
Issued By (Contracting Local Organization): Fort Bend County		Issued To (Contractor): Shirley & Sons Construction Company Inc.	
<b>TYPE OF MODIFICATION (check appropriate box below)</b>			
<input checked="" type="checkbox"/> CHANGE ORDER: Issued pursuant to Article 14.4 the changes set forth below are made by this modification.			
Contract Price	\$ 6,456,145.68	PERFORMANCE TIME: add 30 calendar days	
Net Increase in Contract Price:	\$ 129,177.00		
REVISED Contract Price:	\$ 6,594,479.68		
ATTACHMENTS (If none, so state.):			
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 7-29-20, 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>Ronald Shirley II President</i>		Adam Wright Fort Bend County Drainage District	
SIGNATURE (person authorized to sign)	DATE	SIGNATURE (Project Manager)	DATE
<i>[Signature]</i>	8-17-20	<i>Adam Wright</i>	8-17-20
		SIGNATURE ( COUNTY JUDGE)	DATE
		<i>KPL George</i>	8-25-20

Modification/Change Order No.2  
 Fort Bend County, Texas  
 EWP - Cane Island Branch of Buffalo Bayou Channel Bank Stabilization Phase 4  
 Fort Bend County, Texas  
 July 29, 2020

**DESCRIPTION OF MODIFICATION/CHANGE ORDER**

Pursuant to General Condition, Article 14.4, the contract shall be modified as following.

Relocate Sheet pile wall sites 214, 215, 300-305, 217-219, as shown on the attached drawings labeled Modification 2. Add additional compensation for additional Earthwork Site Preparation due to relocation.

Delete 20' of sheet pile wall on Site 217-219 between P15 and P14. Add rock riprap chute at Station 46+61, clean trash and debris from drain in order to install rock riprap chute., as shown on the attached drawing.

The Contractor shall, 1) construct approximately 1000 feet of temporary fence, in order to separate the construction from landowner's livestock. The temporary fence shall be capable of excluding livestock from the work area as required. And 2) install access route to the project in accordance with CS 8. Mobilization and Demobilization.

Compensation shall be in accordance with the applicable added items below. Contractor Quality Control shall be accomplished in accordance with Construction Specification 94 for the added work.

**Changes to the Bid Schedule:**

6	Steel Sheet Pilings (decrease Steel Sheet Pile by 380 SF to 98675, decrease in contract by -\$17,480.00)	13	98,675	Sq. Ft	\$46.00	\$4,539,050.00
19	Rock Riprap for Chute at Station 47+61	61	7.5	100 tons	11,000.00	82,500.00
<b>Add Item No.</b>	<b>Work or Material</b>	<b>Spec.</b>	<b>Quantity</b>	<b>Units</b>	<b>Unit Price</b>	<b>Amount</b>
20	Temporary Fence and Access	8	1	LS	\$XXXX	\$9,157.00
21	Added Earthwork Sites; 214,215,217-219a,300-305	420	1	LS	\$XXXX	\$48,000.00
22	Debris and Trash Removal At Station 47+61	420	1	LS	\$XXXX	\$7,000.00

Contract price increase - \$129,177.00  
 Contract Performance time Increase - 30 calendar day

**CONTRACTOR'S STATEMENT OF RELEASE**

**In consideration of the modification agreed to herein as complete equitable adjustment for the Contractors proposal, dated 7-29-2020, 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.**

# 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:**  
 2020-652494

**Date Filed:**  
 08/03/2020

**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:**  
 08/25/2020

**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.**  
 20-078  
 Mod 2 Phase 4 EWP

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)