

Modification/Change Order No.2

Bid Number: 21-020

PO #: 195195

Fort Bend County Drainage District

EWP – Oyster Creek Channel Bank Stabilization Phase II

Fort Bend County, Texas

March 18, 2021

CHANGE ORDER/MODIFICATION NO. 1		Effective Date:		Page 1 of 2
Contract: 21-020		Dated: 12/16/2019		Project: EWP – Oyster Creek Channel Bank Stabilization Phase II
Issued By (Contracting Local Organization): Fort Bend County			Issued To (Contractor): NBG Constructors, 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		\$ 4,680,452.97		PERFORMANCE TIME: None
Net Increase in Contract Price:		\$ 105,280.00		
REVISED Contract Price:		\$4,785,732.97		
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.				
<p align="center">CONTRACTOR'S RELEASE OF CLAIMS</p> <p>In consideration of the modification agreed to herein as complete equitable adjustment for the Contractors proposal, dated 3-18-2021, 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.</p>				
<p>Recommended By:(print or type name/title of signer)</p> <p>Thomas P. Beach, PE M&E Consultants <i>Thomas P. Beach</i></p>				
Important Note: Contractor IS required to sign this document and return two (2) copies to the issuing office.				
CONTRACTOR (print or type name/title of signer) Robert T. Rogers III Vice President NBG Constructors, Inc.		Sponsors/Contracting Local Organization Adam Wright <i>Adam Wright</i> Fort Bend County Drainage District		
SIGNATURE (person authorized to sign) <i>RTR III</i>	DATE 03/22/2021	SIGNATURE (County Judge) <i>KP George</i> County Judge KP George	DATE 4-6-2021	

Modification/Change Order No.2
Fort Bend County Drainage District
EWP – Oyster Creek Phase II Channel Bank Stabilization
Fort Bend County, Texas
March 18, 2021
Contract No: 21-020

DESCRIPTION OF MODIFICATION/CHANGE ORDER

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

Finished top of sheet pile wall Elevations shall be:

	<u>Top of Wall Elev.</u>	<u>Center of Water</u>	<u>Added Square Ft</u>
Site 424	44.0	43.0	561
Site 425	44.0	43.0	507
Site 426	44.0	43.0	502
Site 427	44.0	43.0	500
Site 428	44.0	43.0	640
Site 432	44.0	43.0	<u>298</u>
Total			3008 SF

Remainder of the sites are previously modified or unchanged.

(Payment shall be made for a 18' wall) add 3008 x \$35.00 = \$105,280.00

Alternating 17 and 20' sheets is acceptable.

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

Changes to the Bid Schedule:

Item No.	Work or Material	Spec.	Quantity	Units	Unit Price	Amount
6	Steel Sheet Pilings	13	110,6062	SF	\$ 35.00	\$ 3,852,170.00
(increase by 3008 SF to 107,054 SF, contract price increase of \$ 105,280.00)						

Contract price increase - \$ 105,280.00
Contract Performance time: - none

CONTRACTOR'S STATEMENT OF RELEASE

In consideration of the modification agreed to herein as complete equitable adjustment for the Contractor's proposal, dated 3-18-2021, 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.**

NBG Constructors, Inc.
Houston, TX United States

Certificate Number:
2021-729432

Date Filed:
03/22/2021

Date Acknowledged:
04/06/2021

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

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.

195195
Oyster Creek Bank Stabilization Phase II 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)