

**Modification/Change Order No. 2**

Bid Number:

PO #: 195193

Fort Bend County Drainage District

EWP – Oyster Creek Channel Bank Stabilization Phase I

Fort Bend County, Texas

April 6, 2021

<b>CHANGE ORDER/MODIFICATION NO. 1</b>		Effective Date:	Page 1 of 2
Contract: PO 195193	Dated: 12/16/2019	Project: EWP –Oyster Creek Channel Bank Stabilization Phase I	
Issued By (Contracting Local Organization): Fort Bend County		Issued To (Contractor): Shirley and Sons	
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	\$3,296,222.56	PERFORMANCE TIME: none	
Net Increase in Contract Price:	\$ 174,895.00		
REVISED Contract Price:	\$3,471,117.56		
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 4-1-2021, 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.			
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>Donald Shirley President</i>		Adam Wright <i>Adam Wright</i> Fort Bend County Drainage District	
SIGNATURE (person authorized to sign)	DATE	SIGNATURE (County Judge)	DATE
<i>[Signature]</i>	4-5-21	<i>[Signature]</i> County Judge KP George	4.14.2021

Modification/Change Order No.2  
 Fort Bend County Drainage District  
 EWP – Oyster Creek Phase I Channel Bank Stabilization  
 Fort Bend County, Texas  
 April 6, 2021  
 Contract No: PO 195193

**DESCRIPTION OF MODIFICATION/CHANGE ORDER**

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

The Contractor shall furnish all material, equipment, and labor to install 150 pieces of 8” x 30’ x .322 wall thickness steel pipe in the bellies of the sheet pile web. The contractor shall furnish 2 -6” angle iron for each pipe and weld the angle to the sheet pile and the installed 8” pipe. Each pipe pile shall be capped the concrete to create a watertight seal.

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.

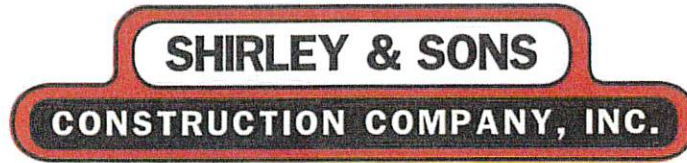
Changes to the Bid Schedule:

<u>Add Item No.</u>	<u>Work or Material</u>	<u>Spec.</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Amount</u>
22	Added Pipe Piles	81	1	LS	\$XXX	\$ 174,895.00

Contract price increase - \$ 174,895.00  
 Contract Performance time: - no change

**CONTRACTOR’S STATEMENT OF RELEASE**

In consideration of the modification agreed to herein as complete equitable adjustment for the Contractors proposal, dated 4-1-2021, 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.O. Box 429 • Cleveland, Texas 77328-0429  
15705 FM 787 West • Cleveland, Texas 77327  
HOUSTON LINE: (713) 222-7881 • PHONE: (281) 592-9254 • FAX: (281) 592-9543

April 1, 2021

Oyster Creek Phase 1 Mod 2

Attn: Tom Beach

We are pleased to submit this proposal for furnishing and driving approximately 150 pieces of 8"x30'x.322" wall pipe in between the belly's of the sheet pile. Also included is welding two pieces of angle iron from the pipe to the sheet pile and filling the top of the pipe with concrete.

**Total Price \$174,895.00**

Any questions please call.

A handwritten signature in blue ink, appearing to read "Ronald R. Shirley", is written over the printed name.

Ronald R. Shirley

# 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:**  
2021-735442

**Date Filed:**  
04/07/2021

**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

**Date Acknowledged:**  
04/13/2021

**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.**  
21-019  
EWP Oyster Creek Phase 1 Mod 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)