

Modification/Change Order No. 3
 Bid Number:
 PO #: 195193
 Fort Bend County Drainage District
 EWP – Oyster Creek Channel Bank Stabilization Phase I
 Fort Bend County, Texas
 May 3, 2021

CHANGE ORDER/MODIFICATION NO. 3		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	\$3,471,117.56	PERFORMANCE TIME: none	
Net Increase in Contract Price:	\$ 215,384.16		
REVISED Contract Price:	\$3,686,501.72		
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.			
CONTRACTOR'S RELEASE OF CLAIMS			
In consideration of the modification agreed to herein as complete equitable adjustment for the Contractors proposal, dated 5-6-2021, 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>			
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)		Sponsors/Contracting Local Organization	
<i>Ronald 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>	5-6-21	<i>KP George</i> County Judge KP George	5.25.2021

Modification/Change Order No.3
 Fort Bend County Drainage District
 EWP – Oyster Creek Phase I Channel Bank Stabilization
 Fort Bend County, Texas
 May 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 Steel Sheet Piles walls as shown on the attached drawing labeled; Sheet 8 of 11 Site Plan – 413 and Section View, relocated location.

The contractor shall furnish all materials, equipment, and labor to install the rock riprap as shown on the attached drawing labeled Sheet 4 of 11 and Sheet 7 of 11.

Steel Sheet Pile walls at Sites 413, 421A and 421B shall be deleted from the project. No work shall be performed at Site 413. Sites 421 A and 421B shall be modified to install rock riprap slope protection due to pipelines at the sites. Site Preparation CLIN 11, 17 and 18 shall be deleted.

Added CLIN 27 Site Preparation for Site 436 Earthfill shall require the Contractor to furnish and place 1800 cubic yards of earthfill in accordance with CS 420.

Added CLIN 23 and 24 Site Preparation for Sites 421A and 421B shall require the Contractor to excavate approximately 800 CY to establish the subgrade to place the rock riprap. All work shall be in accordance with CS 420.

Site Preparation for 436 Add item CLIN 25 shall require the contract to furnish labor and equipment to install 3 drainage pipes furnished by the sponsors, installation shall be in accordance with the Drawings labeled Sheet 9 of 11, TX-EN-079,1 Profile of 436 CMP Repair.

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:

Item No.	Work or Material	Spec.	Quantity	Units	Unit Price	Amount
6	Steel Sheet Piles Installation (increase Steel Sheet Pile (I) from 62,183 SF to 64,121 SF, contract increase of \$40,310.40)		13	64,121 SF	\$20.80	\$ 1,333,716.80
6a	Steel Sheet Piles Materials (increase Steel Sheet Pile (M) from 62,183 SF to 64,121 SF, contract increase of \$41,705.76)		13	64,121 SF	\$21.52	\$ 1,379,883.92
7	Drainfill	24	2698	CY	\$52.00	\$140,296.00

(increase drainfill from 2614 CY to 2698 CY, contract increase of \$4,368.00)

8	Rock Riprap	61	1030 tons	\$110.00	\$ 113,300.00
	(increase rock riprap from 330 tons to 1030 tons, contract increase of 77,000.00)				
11	Site Preparation Site 413	420	1	LS	\$XXX \$ 0.00
	(Delete cost of Site 413 , decrease contract by -\$30,000.00)				
17	Site Preparation Site 421A	420	1	LS	\$XXX \$ 0.00
	(Delete cost of Site 421A , decrease contract by -\$25,000.00)				
18	Site Preparation Site 421B	420	1	LS	\$XXX \$ 0.00
	(Delete cost of Site 421B , decrease contract by -\$25,000.00)				

Add Item No.	Work or Material	Spec.	Quantity	Units	Unit Price	Amount
23	Site Preparation Site 421A Rock riprap installation	420	1	LS	\$XXX	\$ 20,000.00
24	Site Preparation Site 421B Rock riprap Installation	420	1	LS	\$XXX	\$ 20,000.00
25	Added Site Preparation Site 413 revised location	420	1	LS	\$XXX	\$ 25,000.00
26	Added Site Preparation Site 436 to install drainage pipes	420	1	LS	\$XXX	\$ 15,000.00
27	Mobilization to Revised Sites 8		1	LS	\$XXX	\$ 25,000.00
28	Added Site Preparation Earthfill Site 436 Class I	420	1	LS	\$XXX	\$ 27,000.00

Contract price increase - \$ 215,384.16
 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 5-6-2021, 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**

Certificate Number:
2021-749388

Date Filed:
05/07/2021

Date Acknowledged:
05/25/2021

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
Shirley & Sons Construction
Cleveland, TX United States

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.
21-019
Oyster Creek EWP Phase 1 Mod 3

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)