

**Modification/Change Order No.5**

Bid Number: 21-020

PO #: 195195

Fort Bend County Drainage District

EWP – Oyster Creek Channel Bank Stabilization Phase II

Fort Bend County, Texas

September 1, 2021

<b>CHANGE ORDER/MODIFICATION NO. 5</b>		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	\$5,241,732.97	PERFORMANCE TIME:	
Net Increase in Contract Price:	\$ 51,725.00		
REVISED Contract Price:	\$5,293,457.97		
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.			
CONTRACTOR'S RELEASE OF CLAIMS			
In consideration of the modification agreed to herein as complete equitable adjustment for the Contractors proposal, dated 9-1-2021, 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	
Robert T Rogers III Vice President		Adam Wright Fort Bend County Drainage District	
SIGNATURE (person authorized to sign)	DATE	SIGNATURE (County Judge)	DATE
<i>R. T. Rogers III</i>	09/02/2021	<i>KP George</i>	9.14.2021

County Judge KP George

Modification/Change Order No.5  
Fort Bend County Drainage District  
EWP – Oyster Creek Phase II Channel Bank Stabilization  
Fort Bend County, Texas  
September 1, 2021  
Contract No: PO 195195

**DESCRIPTION OF MODIFICATION/CHANGE ORDER**

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

Contractor shall furnish all material, equipment and labor to place earthfill to complete Site 412 as shown on the drawings. Compensation for this change is lump sum as shown below.

Changes to the Bid Schedule:

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<u>Item No.</u>	<u>Work or Material</u>	<u>Spec.</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit Price</u>	<u>Amount</u>
26	Site 412 Additional Fill	420	1	LS	\$xxxx	\$ 51,725.00

Contract price increase – \$51,725.00  
Contract Performance time: - none

**CONTRACTOR’S STATEMENT OF RELEASE**

In consideration of the modification agreed to herein as complete equitable adjustment for the Contractors proposal, dated 9-1-2021, 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.



9702 Synott Road  
Houston, TX 77083  
281-495-0842

August 30, 2021

M & E Consultants, LLC  
ATTN: Tom Beach, P.E., Construction Engineer  
Fort Bend County Drainage District  
EWP Oyster Creek Bank Stabilization, Phase 2  
Fort Bend County, Texas

RE: Modification Request Pricing – Purchase/Place Borrow Material – Site 412

Mr. Beach,

NBG Constructors, Inc. respectfully submits pricing of \$51,725 to purchase and place borrow material to complete Site 412. The purchase and placement of borrow material to construct the project was not contemplated in our original pricing based on the requirements of the Plans and Specifications. Our pricing sheet and supporting documentation is attached.

If you have any questions or require additional information I can be reached at (713) 419-6642.

Respectfully,

A handwritten signature in black ink, appearing to read "Bob Rogers", with a stylized flourish at the end.

Bob Rogers  
Vice President

cc: 20-30 Project File



# 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:**  
 2021-797940

**Date Filed:**  
 09/01/2021

**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:**  
 09/14/2021

**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.**  
 195195  
 Oyster Creek Bank Stabilization Phase II Change Order Number 5

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)