

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**FIRST AMENDMENT TO AGREEMENT FOR DESIGN/BUILD SERVICES
 FOR RENOVATION OF DISTRICT CLERK PASSPORT OFFICE
 (CONSTRUCTION PHASE)
 RFQ 24-054**

THIS FIRST AMENDMENT ("Amendment") is made and entered into by and between Fort Bend County, (hereinafter "County"), a body corporate and politic under the laws of the State of Texas, and APEX Consulting Group, Inc., (hereinafter "ACG"), a company authorized to conduct business in the State of Texas (hereinafter each referred to as a "party" or collectively as the "parties").

WITNESSETH

WHEREAS, on or about July 10, 2024, the Parties executed and accepted that certain Agreement for the Design/Build of District Clerk Passport Office (hereinafter "Agreement") which is incorporated by reference as if set forth herein verbatim; and

WHEREAS, by execution of this Amendment, the Parties desire to amend the Agreement to provide for the Construction phase of the agreement and to increase the Total Maximum Compensation for completion of such services, and to otherwise ratify and confirm all the terms and conditions as set forth herein.

NOW THEREFORE, in consideration of the foregoing, the Parties do mutually agree that the Agreement between the Parties is hereby amended as follows:

1. **Scope of Services.** County shall pay ACG an additional Two Hundred Fifty-Six Thousand Five Hundred Eighty and 00/100 dollars (\$256,580.00) for the performance and completion of construction services as described in ACG's Quote dated October 11, 2024 (the "Services") attached hereto as Exhibit "A" and incorporated by reference for all intents and purposes.
2. **Limit of Appropriation.** ACG understands and agrees that the Maximum Compensation payable to ACG for Services rendered under this Agreement is hereby increased to an amount not to exceed Two Hundred Seventy-Five Thousand Five Hundred Eighty and 00/100 dollars (\$275,580.00), authorized as follows:

\$ 19,000.00	under the Agreement
\$256,580.00	under this Amendment
TOTAL	\$275,580.00

In no event shall the amount paid by County under this Agreement exceed the Maximum Compensation without a County approved change order. ACG clearly understands and agrees, such understanding and agreement being the absolute essence of this Agreement, that County shall have available the total maximum sum of Two Hundred Seventy-Five Thousand Five Hundred Eighty and 00/100 dollars (\$275,580.00) specifically allocated to fully discharge any and all liabilities County may incur under the Agreement.

ACG does further understand and agree, said understanding and agreement also being of the absolute essence of the Agreement, that the total Maximum Compensation that ACG may become entitled to and the total maximum sum that County may become liable to pay to ACG under the Agreement shall not under any conditions, circumstances, or interpretations thereof exceed Two Hundred Seventy-Five Thousand Five Hundred Eighty and 00/100 dollars (\$275,580.00).

3. **Time of Performance.** The time of performance to complete the construction phase of the Agreement shall be a period of four months from the date that County provides a notice to proceed to ACG.
4. **Recitals.** The recitals set forth above are incorporated herein by reference and made a part of the Agreement.
5. **Modifications and Conflict.** Except as modified herein, the Agreement shall remain in full force and effect and has not been otherwise modified or amended. If there is a conflict among documents that make up the Agreement, this Amendment shall prevail with regard to the conflict.

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{Execution Page Follows}

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the day signed by the last party.

FORT BEND COUNTY

KP George
KP GEORGE, COUNTY JUDGE

APEX CONSULTING GROUP, INC.

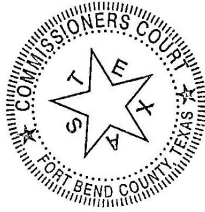
[Signature]
AUTHORIZED AGENT – SIGNATURE

November 27, 2024

DATE

ATTEST:

[Signature]
LAURA RICHARD, COUNTY CLERK



CHARLES MGBEIKE, P.E.

AUTHORIZED AGENT- PRINTED NAME

PRESIDENT

TITLE

10/31/24

DATE

APPROVED:

[Signature]
JAMES KNIGHT, FACILITIES MANAGEMENT/
PLANNING DIRECTOR

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 275,580.00 to accomplish and pay the obligation of Fort Bend County under this contract.

[Signature]
Robert Ed Sturdivant, County Auditor

Exhibit A: APEX Consulting Group, Inc.'s Construction Fee Proposal, dated October 11, 2024

i:\agreements\2024 agreements\facilities\apex consulting group, inc. (24-fac-100744-a1)\amendment to agreement for design-build for district clerk passport office.docx (DRP 10.30.24)

EXHIBIT A

October 11, 2024

Mr. Jon McGuff
Fort Bend County Facilities
301 Jackson Street
Richmond, Texas TX 77469

Re: Cost Proposal-RFQ #24-054 – FBC District Clerk Passport Office, Richmond TX

Dear Mr. McGuff:

Per your request, attached is our cost proposal for the referenced project to be built in Richmond, Texas. The cost to construct the passport office is **\$256,580.00** (Two Hundred & Fifty-Six Thousand, Five hundred and Eighty dollars). This is a “**not to exceed**” cost, assuming no scope changes during construction.

Thank you for this opportunity to provide our services to Fort Bend County. Please feel free to call our office if you have any questions or concerns.

Sincerely

APEX Consulting Group, Inc.



Charles C. A. Mgbeike, P.E.
President

FBC PASSPORT OFFICE
Construction Cost Estimate

<u>Division # - DESCRIPTION</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Projected Cost</u>
<u>Division 01 - General Requirements</u>				
General Conditions	5%	%	\$ 198,500	\$ 9,925
General Contractor Overhead and Profit	10%	%	\$ 198,500	\$ 19,850
Site Supervision & Project management	6%	%	\$ 198,500	\$ 11,910
Performance and Payment Bonds	4%	%	\$ 198,500	\$ 7,940
Insurance	3%	%	\$ 198,500	\$ 5,955
Clean Up	1		\$ 2,500	\$ 2,500
Subtotal - Division 01 - General Requirements.....				\$ 58,080
<u>Demolition</u>				
1 - Demo & Hall Off Flooring, ceiling grids, walls, etc	1	Ls	\$ 4,500	\$ 4,500
2 - Dumpster Rental	1	Ls	\$ 2,000	\$ 2,000
Subtotal - Demolition.....				\$ 6,500
<u>Storefront & Windows</u>				
1 - Store Front & Windows	1	Ls	\$ 15,000	\$ 15,000
2 - Card Readers	1	Ls	\$ 8,500	\$ 8,500
Subtotal - Division 05 - Steel.....				\$ 23,500
<u>Wood, Plastic, Composites</u>				
1 - Cabinets & counter Top- Reception	1	Ls	\$ 10000	\$ 10,000
2 - Frames / Doors & Hardware	1	Ls	\$ 25000	\$ 25,000
Wood, Plastic, Composites.....				\$ 35,000
<u>Division 09 - Finishes</u>				
1 - Metal framing, Insulation, Gyp. Bd, etc	1	Ls	\$ 40000	\$ 40,000
2 - Acoustical Ceiling -	1	Ls	\$ 7500	\$ 7,500
3 - Flooring	1	Ls	\$ 15000	\$ 15,000
Subtotal - Division 09 - Finishes				\$ 62,500
<u>Fire Sprinkler/ Alarm</u>				
1 - Modify Sprinkler & Fire Alarm	1	Ls	\$ 15000	\$ 15,000
Subtotal - Fire Sprinkler / Alarm.....				\$ 15,000
<u>HVAC</u>				
1 - HVAC by Star Service	1	Ls	\$ 34,000	\$ 34,000
2- Controls by AutomatedLogic	1	Ls	\$ 6,500	\$ 6,500
Subtotal - HVAC.....				\$ 40,500
<u>Electrical</u>				
1 - Electrical	1	Ls	\$ 12,000	\$ 12,000
2 - Audio/ data/ TV Drops	1	Ls	\$ 3,500	\$ 3,500
Subtotal - Division 26 - Electrical.....				\$ 15,500

FBC PASSPORT OFFICE
Construction Cost Estimate

<u>Division # - DESCRIPTION</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Projected Cost</u>
<i>Subtotal Div 2 - Div 31.....</i>				\$ 198,500
<i>Subtotal All divisions.....</i>				\$ 256,580

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.

APEX CONSULTING GROUP
HOUSTON, TX United States

Certificate Number:
2024-1236408

Date Filed:
11/08/2024

Date Acknowledged:
11/26/2024

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.

Q24-066
KITTY HOLLOW PARK IMPROVEMENTS - LARGE PAVILIONS & MAINTENANCE BUILDING

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)