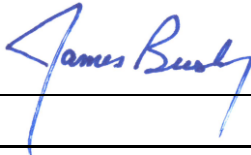


SUPPLEMENTAL AGREEMENT

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| 1. Contract: Wastewater Treatment Plant Expansion City of Kyle, Texas Effective Date: 01/13/2020 | 2. Supplemental Agreement: No. 01 | 3. Contractor Name & Address: Burgess & Niple, Inc. 9601 Amberglen Blvd Suite 275 Austin, Texas 78729 |
| 4. The parties hereto agree to modify the contract identified in Block 1, above, and as described in Block 5, below. | | |
| 5. Description of Supplemental Agreement (attach a continuation sheet, if necessary): <p style="text-align: center;">This Supplemental Agreement is entered into by mutual agreement of the parties and includes increases and decreases in the project scope and fee for various tasks as outlined below:</p> <p>A. Amend Article 3 Paragraph B.(1), BASIC ENGINEERING SERVICES, Page 3 to read:</p> <p style="margin-left: 20px;">a. The ENGINEER will make site visits for the duration of the construction phase of the PROJECT up to eight hundred thirty-two (832) hours). Site visits will be coordinated with progress meetings. The length of construction period is anticipated to be thirty-three (33) months. Additional site visits may be considered as a SPECIAL SERVICE; and</p> <p>B. Amend Article 3 Paragraph C.(1) Page 3 to change the following:</p> <p style="margin-left: 20px;">a. Expended hours is changed from 2,189 to 2,800.</p> <p style="margin-left: 20px;">b. Drawing submittals reviewed is changed from 200 to 420.</p> <p>C. Amend Article 3 Paragraph E.(2) Page 4 to change the following:</p> <p style="margin-left: 20px;">a. Number of Project Change Orders is changed from up to 3 to up to 5.</p> <p>D. Amend Article 3 Paragraph E.(3) Page 4 to as follows:</p> <p style="margin-left: 20px;">a. Preparation of combined field directed change orders, requests for proposals and work change requests in excess of 110 may be considered a SPECIAL SERVICE.</p> <p>E. Amend Article 4 Paragraph 4.2.2 Page 6 as follows:</p> <p style="margin-left: 20px;">a. Task II REDUCE the not to exceed amount from \$276,100 to \$190,000.</p> <p style="margin-left: 20px;">b. Task III INCREASE the not to exceed amount from \$420,100 to \$490,000.</p> <p style="margin-left: 20px;">c. Task V INCREASE the not to exceed amount from \$2,760 to \$45,000</p> <p style="margin-left: 20px;">d. ADD Task VII AUTHORIZED ADDITIONAL AND SPECIAL ENGINEERING SERVICES not to exceed \$64,000.</p> <p style="margin-top: 20px;">Except as modified herein, all other provisions of the contract (including, but not limited to, price, delivery, and completion data) remain unchanged.</p> | | |
| 6. Amount (if any): \$90,040.00 <input checked="" type="checkbox"/> increase of 9.2% or <input type="checkbox"/> decrease or <input type="checkbox"/> not applicable | | |
| 7. Name & Title of Person Authorized to Sign on Behalf of the Contractor (Print or Type): James Busby, P.E. Vice President, Burgess & Niple, Inc. | Contractor Signature:  <hr style="border: 0; border-top: 1px solid black;"/> | Date Signed: <u>11 / 17 / 2022</u> |
| 8. Name & Title of Person Authorized to Sign on Behalf of Owner: City of Kyle, Texas | Owner Signature: <hr style="border: 0; border-top: 1px solid black;"/> (Signature of Person Authorized to sign) | Date Signed: <u> / / </u> |