

STATE OF TEXAS  
COUNTY OF TRAVIS

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**AMENDMENT 1 TO CONTRACT NUMBER CON0001333**

The Texas Juvenile Justice Department, hereinafter "TJJD," and Harkins Company, 618 Hwy 95 N., Elgin, TX 78621, hereinafter "Contractor," acknowledge that they have previously entered into a construction contract for Chiller, Boiler and HVAC Replacement at Giddings State School for the period of July 19, 2021, through August 31, 2022. This contract is identified as contract number CON0001333.

Both parties wish to continue the relationship that exists without a lapse in services. Contractor agrees to continue to provide services under the aforementioned existing contract, and the TJJD agrees to continue to use Contractor's services during the term of this contract.

Contractor represents and warrants that the individual signing this Amendment is authorized to sign this document on behalf of Contractor and to bind Contractor under this Amendment.

Both parties hereto agree to be bound by the terms of the existing contract, subject to the following change(s):

1. Change Order No.1 extends this contract, number CON0001333, to December 31, 2022 which includes forms 10.A.3, 10.A.4 and 10.A.6, which are attached hereto as Attachment 1 and hereby incorporated by reference and made part of this contract.
2. Change Order No. 3 extends the contract to February 28, 2023 and includes the following changes: Contractor will 1) add ten (10) replacement air plenums with ten (10) fabricated air plenum stands; 2) install buffer tanks in place of low loss headers for an amount of \$30,728.00 (thirty thousand seven hundred twenty-eight dollars). Forms 10.A.3, 10.A.4 and 10.A.6, which are attached hereto as Attachment 2 and hereby incorporated by reference and made part of this contract.
3. The total contract amount for the period of July 19, 2021, through February 28, 2023, shall not exceed \$1,275,505.00 (one million, two hundred seventy-five thousand, five hundred five dollars).

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment as of the day and year last below written.

For the Texas Juvenile Justice Department:



1/6/2023

Shandra Carter, Executive Director

Date

For Contractor:



Signature

JD Harkins President  
Printed Name Title

12-27-22  
Date

ATTACHMENT 1

10. A.3  
CHANGE PROPOSAL REQUEST

TEXAS JUVENILE JUSTICE DEPARTMENT

Distribution to:	
OWNER	<input type="checkbox"/>
ARCHITECT/ENGINEER	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
FIELD	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

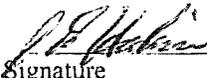
PROJECT: Chiller, Boiler and HVAC Replacement at Giddings State School	Giddings	CHANGE PROPOSAL NO.: 1
OWNER	Texas Juvenile Justice Department Construction Department	DATE: 1/14/22
TO: Harkins Company 618 Hwy 95 North Elgin, Texas 78621		TJJJ PROJECT NO.: 734200-0001-5000-61043- 25BOILCHILLVAC-DE040-2021
		CONTACT FOR: JD Harkins
		NOTICE TO PROCEED DATE: 9/22/21

Please submit an itemized quotation for changes in the Contract Sum and/or Time incidental to proposed modifications to the Contract Documents described herein.

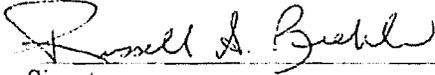
**THIS IS NOT A CHANGE ORDER, NOR A DIRECTION TO PROCEED WITH THE WORK DESCRIBED HEREIN.**

Description:  
Changes for RFP# 644-21-050821 No costs associated with this change order – time extension only.  
Contract extended to 12/31/22  
Attachments: (List attached documents that support description)

Contractor: Harkins Company

By:  1/18/22  
Signature Date

TJJJ Project Manager:

By:  1/14/22  
Signature Date





## Attachment 2

# **Harkins Company**

## **Mechanical Contractor**

(512) 281-5577 Fax (512) 281-5588  
618 Hwy 95 N Elgin, Texas 78621  
TACLA27076C M39024

### **Change Order Proposal – 3.1**

August 22, 2022

Giddings TJJJ  
Attn: Chase Beam

Project: Giddings State School

RE: Combined AHU Plenums, with stands and Boiler- Buffer Tank Proposal

Harkins Company submits this revised change proposal to include 10 replacement air plenums and 10 fabricated air plenum stands along with 5 buffer tanks. The buffer Tanks were added as a result of the **RFI-006- Boiler** response dated 4/25/2022.

The stands and plenums were added as a request from TJJJ to replace the non-repairable existing plenums.

#### **Costs Breakdown:**

10 Replacement air plenums, with 10 fabricated air plenum stands.	\$ 8,747.00
Buffer Tanks	\$ 22,147.00
Credit for Low Loss Headers not utilized	(-\$ 7,425.00)
Labor	\$ 3,251.00
Subtotal:	<u>\$ 26,720.00</u>
OH&P (15%):	\$ 4,008.00

**TOTAL:** \$30,728.00

Harkins Company formally requests a contract date extension as well with this change proposal. With equipment lead times in flux, we request the end date of our contract to be moved to February 28, 2023.

Regulated by The Texas Department of Licensing and Regulation, P.O. Box 12157,  
Austin, TX 78711, 1-800-803-8202, 512-463-6599

**10.A.6  
TEXAS JUVENILE JUSTICE DEPARTMENT**

**CHANGE ORDER  
Change Order No: 3**

Distribution to:

TJJJ   
 ARCHITECT/ENGINEER   
 CONTRACTOR   
 FIELD   
 OTHER

TJJJ JOB NO: 734200-0001-61043-25BOILCHILLVAC-DE040-2021 DATE: 8/23/22

PROJECT: Chiller, Boiler and HVAC Replacement LOCATION: Giddings

TO: CONTRACTOR FOR THE ABOVE PROJECT

You are hereby authorized to make the following changes in the work under contract:

N.T.E. Field Order No. \_\_\_\_\_ /PCR No. \_\_\_\_\_ Cost: \$ 30,728.00

Changes for RFP# 644-21-050821

- 1) Harkins Company will supply the labor and material to build and replace the return air plenum. The plenum will be lined with one inch duct liner insulation. 2) Harkins Company will supply the labor and material to build and replace the return air stand/plenum for the 10 ton AHU's. This work will be completed on Dorms 2, 3, 4, 6 and 8.
- 2) Harkins Company will install Buffer tanks in place of the low loss headers Per A/E Halff (Clint Bell)

It is mutually agreed that the (Addition) (Deduction) of \$30,728.00 and 2/28/23 Time Extension provided for in this Change Order constitutes full compensation to the Contractor, whether direct, consequential or otherwise, in any wise incident to, or arising out of, or resulting directly from the work performed or modified by the Contractor under this Change Order. The new contract completion date, including this time extension is 2/28/23.

For the above changes, the sum of \$30,728.00 will be (added to) (deducted from) the contract price as follows:

ORIGINAL CONTRACT SUM	\$	<u>1,244,777.00</u>
PREVIOUS ADDITIONS	\$	<u>0.00</u>
PREVIOUS DEDUCTIONS	\$	<u>0.00</u>
NET PREVIOUS CONTRACT CHANGE	\$	<u>0.00</u>
THIS (Addition)(Deduction)	\$	<u>\$30,728.00</u>
ADJUSTED CONTRACT PRICE	\$	<u>1,275,505.00</u>

ACCEPTED:

CONTRACTOR



Date

8-29-22

TJJJ Project Manager of Construction



Date

8-29-22

**10. A.3  
CHANGE PROPOSAL REQUEST  
TEXAS JUVENILE JUSTICE DEPARTMENT**

Distribution to:	
OWNER	<input type="checkbox"/>
ARCHITECT/ENGINEER	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
FIELD	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

PROJECT:	Chiller, boiler and HVAC replacement at Giddings	CHANGE PROPOSAL NO.3
OWNER	Texas Juvenile Justice Department Construction Department	DATE: 8/23/23
TO:	Harkins Company 618 Hwy 95 North Elgin, Texas 78621	TJJJ PROJECT NO.734200-0001- 25BOILCHILVAC-DE040-2021
		CONTACT FOR: JD HARKINS
		NOTICE TO PROCEED DATE: 9/22/2021

Please submit an itemized quotation for changes in the Contract Sum and/or Time incidental to proposed modifications to the Contract Documents described herein.

**THIS IS NOT A CHANGE ORDER, NOR A DIRECTION TO PROCEED WITH THE WORK DESCRIBED HEREIN.**

Description:

Add buffer tanks as per RFI and responds by A/E approval

10 Replacement air plenums, with 10 fabricated air plenum stands.

Owner: Texas Juvenile Justice Department

By: Chase Beam 8/23/2022  
Signature Date

A/E: Clint Bell 8/23/2022  
By: Signature Date

**10.A.4.**  
**TEXAS JUVENILE JUSTICE DEPARTMENT**  
**CONSTRUCTION DEPARTMENT**  
**CONTRACT CONSTRUCTION**

**PENDING CHANGE REQUEST COST ANALYSIS**

To be completed by General Contractor or Subcontractor  
 As outlined in the Uniform General Conditions Section 6.6.1

Work to be performed by: PROJECT: Chiller, Boiler, HVAC Replacement Giddings State School

General Contractor  Subcontractor TJJD JOB NO: 734200-0001-61043-25BOILCHILLVAC-DE040-2021

CONTRACTOR: Harkins Company

If Subcontractor, give company name: \_\_\_\_\_

Time Extension (if any): February 28<sup>th</sup>, 2023

Description of Change: Combined 10 Air Plenums with 10 fabricated Air plenum stands, and 5 buffer tanks in lieu of low loss headers.  
 1) Harkins Company will supply the labor and material to build and replace the return air plenums on 5 dorms. The plenums will be lined with one inch duct liner insulation. 2) Harkins Company will also supply the labor and materials to build and replace the return air plenum stands for the 10 ton AHU's. This work will be completed on Dorms 2, 3, 4, 6 and 8. 3) Harkins will furnish and install 5 total buffer tanks in the mech rooms for the aforementioned dorms.

ADDITIONS AND/OR [CREDITS]

Description	Quantity	Unit	Cos/Unit	A	B	C	D	E
				Material	Labor	Equip	Trans	Storage
Stands for Air Plenums	10	each		\$220	\$330			
Replacement Air Plenums	10	each		\$182	\$274			
Buffer tanks	5	lot				\$28,093.80		
Low loss headers	5	Lot				(\$7,425)		
Subtotals				\$4,020	\$6,040	\$20,668.80		

Line I Enter total of Columns A+B+C+D: \$ 30,728.80

Line V Total Line I enter here & on Summary Sheet \_\_\_\_\_

SIGNATURE [Signature] Date 8/23/22  
 Contractor/Subcontractor

SIGNATURE [Signature] Date 8-23-22  
 TJJD Project Manager of Construction