TFC Contact No. 16-055-001
IFB No. 303-5-02272
Project No. 14-031R-6047

AMENDMENT NO. 1
TO THE
CONSTRUCTION SERVICES CONTRACT
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
ACUMEN ENTERPRISES, INC.

THIS AMENDMENT NO. 1 is entered into by and between the Texas Facilities Commission (hereinafter referred to as "TFC"), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701, and Acumen Enterprises, Inc. (hereinafter referred to as "Contractor"), located at 1504 Falcon Drive, DeSoto, Texas 75115, to amend the original Contract between the parties (hereinafter referred to as the "Contract").

WHEREAS, the parties entered into that one certain *Construction Services Contract dated November 23, 2015*; and

WHEREAS, the parties agree that additional Construction Services are required for the work to be completed; and

WHEREAS, changes in circumstances require mutually desirable alterations in the fees to the Contract; and

WHEREAS, the parties desire to amend certain terms to their mutual benefit to reflect the changed circumstances;

NOW, THEREFORE, the parties agree to amend the Contract as follows:

1. The parties agree to modify ARTICLE V – CONSIDERATION, SECTION 5.1 – CONTRACT SUM, by reflecting compensation for additional Construction Services in an amount not to exceed Sixteen Thousand Two Hundred Seventy-Five and No/100 Dollars ($16,275.00), thus increasing the total not to exceed amount of the Contract from One Hundred Twelve Thousand and No/100 Dollars ($112,000.00), to a total not to exceed amount of One Hundred Twenty-Eight Thousand Two Hundred Seventy-Five and No/100 Dollars ($128,275.00). Pricing for the additional Construction Services shall be invoiced in accordance with Contractor's Proposed Change Order Form B, dated March 24, 2016, attached hereto and incorporated herein for all purposes as "Exhibit A-1." Any changes to the not to exceed amount or pricing set forth in "Exhibit A-1" shall be submitted to TFC for review and shall be approved by amendment to this Contract.

[This Space Intentionally Left Blank]

Except as expressly amended above, all provisions of the Contract remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 to this Contract to be effective as of the date of the last party to sign.

TEXAS FACILITIES COMMISSION

By: _____

Kay Molina

General Counsel

Date of Execution: 5/21/16

G.C. _____

Dir. _____

D.E.D. _____

ACUMEN ENTERPRISES, INC.

By: _____

Wayne Boyter

President

Date of Execution: 25 April 2016

TFC CONTRACT NO. 16-055-000

ACUMEN ENTERPRISES, INC.

EXHIBIT A-1

CONTRACTOR'S Proposed Change Order Form

B

TO: Architect / Engineer

The following is a detailed cost breakdown, including both materials and labor for all additions to and/or deductions from the contract sum if the change described on form A is accepted. (Additional data necessary to support itemized figures is attached and identified below.)

14-031R-6047
TFC PROJECT NO.

01
PROPOSED CHANGE ORDER NO.

3-24-2016
DATE

Please see the attachment containing Acumen Enterprises proposal PCO-01 with detailed cost breakdown.

Total Addition / Deduction (circle one) to CONTRACT SUM if accepted: $ 16,275.00

Request is made for addition of 30 CALENDAR DAYS to the contract period.

The above proposal is submitted for your consideration. The undersigned contractor understands and agrees that this proposal is validated only by the approved CHANGE ORDER attached hereto

Authorized Signature

Acumen Enterprises, Inc.
Name of Contracting Firm

Acumen Enterprises, Inc.
8(a) Native American Owned
1504 Falcon
DeSoto, TX 75115
Ph: (972) 572.0701
Fx: (972) 572.0889

DUNS: 111105248
CAGE/NCAGE Code: 483M3
SBA.gov Pro-Net ID: P0715589
Texas HUB Certified DBE #1752966405800
TXMAS: 11-03FAC070
GSA: GS1F0173W

24 March 2016

PCO - 01

Mr. Billy Knapp
Project Manager
Facilities Design & Construction
Texas Facilities Commission
P.O. Box 13047
Austin, Texas 7811-3047PCO-01

Project:
14-031R-6047
DPS Waco Building Chiller Replacement

RE:
Replace 10-Ton Lennox split system

Scope of Work:

Provide labor, Material and Supervision to install (1) 10-Ton split system air conditioner at the Waco DPS Crime Lab.

- Demo and dispose of existing 10-Ton Lennox split system A/C unit according with all State and Federal regulations.
- Demo and dispose of (1) 4-ton York condensing unit according with all State and Federal regulations
- Provide and install (1) 10-Ton split system condenser.
- Provide and install (1) 10-Ton AHU with 15 Kw heat strip.
- Modify existing AHU support bracket to accept new AHU.
- Provide and install new duct flex connections at the AHU supply and return air duct connections to the AHU.
- Provide and install new refrigerant piping, size as recommended by the manufacturer, between the condenser and Evaporator AHU.
- Provide (1) 4" cored hole with sleeve through exterior wall.
- Provide and install new 1" thick rubber insulation on all suction piping.
- Provide and install (1) programmable thermostat.
- Provide and install (1) new non- fused disconnect at condensing unit.
- Provide and install R-410A refrigerant as required by manufactures data.
- Test and balance new unit to manufactures recommended operating parameters.

Exclusion:

- Any overtime work.
- Hazardous materials removal, with exception of refrigerant.
- Equipment pads.
- Any work not specifically described within.

Labor		$5,313
Material		$8,075
Subtotal		**$13,388**
Job Related Expense		$495
Subtotal		**$495**
Subcontractors		$0
Subtotal		**$0**
Overhead	10%	$1,388
Profit	5%	$764
Deduct or Credit		$0
Tax		$0
Bond	1.5%	$241
Total		**$16,275**

30-Day Price – This proposal is subject to terms that are described here, and will be mutually agreed upon, and is open for acceptance for a period of thirty (15) days, after which it may be subject to change or withdrawn.
Contract Scope – In the event that our price is accepted, this proposal will become part of the contract documents as to price and scope.
Insurance – Acumen Enterprises, Inc. is fully insured and all work will be performed by master mechanics of their trade and their apprentices.

Please review and contact me directly with any comments or concerns.
Sincerely, Shance Jackson

Shance Jackson
Project Manager