

Supplemental Agreement (SA) – Example

**STP97(326)MM, Etc.
1006-01-020, etc.
FM 529
Harris County
Houston District**

BOND NO. 720125-46429974

SUPPLEMENTAL AGREEMENT NO. 1

WHEREAS, on the 5th day of November, 1997, a contract was entered into by and between the State of Texas, represented by the Executive Director of the Texas Department of Transportation and Hassell Construction Company, Inc. Contractor for the construction of the widening of a non-freeway facility on FM 529 from North Eldridge Parkway to Barker-Cypress Road in Harris County, Texas and designated as Project STP 97(326)MM, Etc., and

WHEREAS, during the construction and upon termination of the subject projects, the Contractor requested additional compensation in the amount of \$400,985.39, such amount allegedly incurred due to delays to contract work caused by deficiencies/errors in the contract plans, and

WHEREAS, after careful review of the Contractor's request, it has been mutually agreed upon that a portion of the request in the amount of \$343,205.69 be paid, such amount representing compensation for certain overhead and equipment costs, and that the remaining portion of the request be denied, and

THEREFORE, it is hereby agreed between the parties hereto that Item 9001-0001-000 DELAY COST REIMBURSEMENT, is added to the contract and that the lump sum price of \$343,205.69 for the added item, in consideration of the above-mentioned delay, is fair and reasonable, and

IT IS FURTHER AGREED, that the contractor hereby waives any claim for additional compensation due to all other expenses or loss of compensation incurred due to the above-mentioned delays to the contract work.

CCSJ: 1006-01-020
Project: STP 97(326)MM, etc.
Highway: FM 529
County: Harris
District: HOU
Contract No.: 08973002
S.A. No.: 1



In WITNESS WHEREOF the parties hereto have set their hands on the dates shown herein.

RECOMMENDED FOR APPROVAL BY:
TEXAS DEPARTMENT OF TRANSPORTATION

CORPORATE SEAL
CONTRACTOR

M. W. Alford, P.E. 7-1-98
Area Engineer Date

Hassell Construction Company, Inc.
(Firm)

Kenneth B. Baker, P.E. 7/29/98
for Director of Construction Date

By: E. J. Hassell Date 6/29/98
EXECUTIVE VICE PRESIDENT

David H. Smith, P.E. 7-30-98
District Engineer Date

SURETY APPROVAL

FIDELITY AND GUARANTY INSURANCE UNDERWRITERS,
UNITED STATES FIDELITY AND GUARANTY COMPANY

(Firm)

"Executed for the Executive Director and approved for the Texas Transportation Commission under the authority of Minute Order No. 100002 for the purpose and effect of activating and carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission."

By: Rosalyn D. Hassell 06-29-98
Date

ROSALYN D. HASSELL, ATTORNEY-IN-FACT
(Typed Name)

POWER OF ATTORNEY ATTACHED

CORPORATE SEAL

R. H. Smith 9/3/98
Director of Construction Division Date

M. W. Behrens
TxDOT Form SA 11-96 9-4-98