

**EXHIBIT "F-3"**  
**CONTRACT AMENDMENT**

*Article 1*  
*Execution*

1.01 The County executes this Agreement by and through the County Judge acting pursuant to Order of the Commissioners Court of Brazoria County, Texas, so authorizing. This Agreement shall not become effective until executed by all Parties hereto.

*Article 2*  
*Character and Extent of Services*

2.01 The Consultant shall perform its obligations under this Contract Amendment in accordance with the original Scope of Work and any additional Scope of Work within the Consultant's proposal attached hereto as **Exhibit "F-\_"**. County and Consultant may agree to amend this contract. Any further amendments to this contract will be added as "**Exhibit F-\***" (F-1, F-2, etc.).

**Brazoria County, Texas**

**Pennington & Associates Commissioning, LLC**  
**a Texas company**

**By:** \_\_\_\_\_

**L.M. (Matt) Sebesta, Jr**

**County Judge**

**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Name: Charles Pennington**

**Title: Principal**

**Date:** \_\_\_\_\_



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September 29, 2022

Mr. Bob Daimler  
Sr. Construction Manager  
AG|CM Inc.  
(832) 687-6205 Mobile

Re: Proposal for Brazoria County Courthouse Justice Center Commissioning & TAB Services

Dear Mr. Daimler:

Pennington & Associates Commissioning LLC appreciates the opportunity to submit this proposal for commissioning and TAB services for the Brazoria County Justice Center project. We believe that we have an excellent understanding of the scope and complexities of this assignment and have assembled experienced, multidisciplinary professionals to provide AG|CM and Brazoria County with exceptional service.

Just as teams in various fields of endeavor are often judged by their "depth", we believe that our team is second to none in this respect. Pennington & Associates has a professional staff dedicated to commissioning and TAB located in the Houston Area. Therefore, you can be assured that our team will successfully accomplish work assignments and enhance the overall construction process.

Pennington & Associates can provide comprehensive commissioning and TAB services for the Brazoria County Courthouse Justice Center project, as well as your other forthcoming projects. Our team is very experienced in managing different size, multidisciplined, complex projects that may require a sustained personnel commitment over several years. We believe that our combination of multidisciplined staff members provide a solid and comprehensive solution for the project. Our collective knowledge and expertise allows us to bring an abundance of experience to your project that is unparalleled by other firms.

We would like to thank you for your time and consideration during the review process and hope we have fully expressed our interest and demonstrated our enthusiasm in assisting AG|CM and Brazoria County with this commissioning and TAB project. Should you need to contact us regarding our submittal, please feel free to contact me at [cpennington@pa-cx.com](mailto:cpennington@pa-cx.com) or (281) 740-1189.

Sincerely,  
Pennington & Associates Commissioning, LLC

Charles Pennington  
Principal

### Project Description

Brazoria County is growing at a rate that has applied pressure within the county judicial system and other county departments serving its citizenry. This growth requires new district courtrooms and modernization of the current courtrooms including County Court at Law, District Attorney Office, Tax Office, County Clerk, and all other departments housed in the existing justice center that is too small and outdated. This new project will alleviate the growth issues and move the county well into the 21st Century for office spaces, courtrooms, on-site detention, public spaces, and other related departments. The Angleton Courthouse campus is comprised of courts, judicial support, service departments, financial operations, County development groups and financial operations of Brazoria County. The total campus sits in portions of nine (9) city blocks, and within these nine (9) blocks, are additional properties available for utilization.

This Justice Center will include an exceptionally collaborative design, and a multi-phased department relocation plan to accomplish the 173,404 SF of renovations and the 53,650 SF addition to the Courthouse annex. Komatsu Architects will assist with the historic renovation portion of the work that will house multiple county departments centered on support of the judicial center and other department required continues public access.

### Clarifications

1. Equipment to be tested were based on the PTO#5 GMP 100% BID documents dated 8/16/22 and Addendums 1 & 2.
2. All testing will be performed during normal business hours unless otherwise discussed and approved by the commissioning agent.
3. This proposal was generated based on the assumption that complete sequences of operations will have been transmitted to our firm prior to generating functional performance testing scripts.
4. CxAlloy software accurately tracks the status of the commissioning process in real time. It also affords live data entry and multiple users simultaneous input.
5. Purchaser agrees to pay expenses incurred if systems are not ready for when testing / balancing firms are required to be onsite.
6. This proposal also includes scope reduction for the Administration Building and Justice Center.

### Commissioning Activities

1. Provide commissioning services to ensure work is completed on time, under budget and according to contract documents and Brazoria County requirements.
2. Generate commissioning plan and specification to include in project specification for identify various subcontractors' roles and responsibilities during each phase of the project.
3. Development of pre-functional checklists to ensure equipment specified is delivered, stored and installed in accordance with contract documents.
4. Generate functional test procedures in accordance with contract drawings and submittals to achieve optimal system performance, desired sequences of operation and owner project requirements.
5. Verification of sequence of operations for specified equipment in all modes of operation, interlocks and safeties and systems integration testing.
6. Review graphic displays, trends and alarming for content and completeness and ensure they truly represent systems installed.
7. Perform site observations and generate reports identifying issues and distribute to responsible party for immediate correction.
8. Assist with integrating commissioning activities into master project schedule resulting in clear and regular communications between all necessary parties and areas of technical expertise.
9. As construction progresses, facilitate periodic commissioning team meetings necessary to coordinate, schedule activities and resolve problems while attending construction meetings.
10. Generate and distribute meeting minutes to all project team members detailing the issues identified during commissioning meetings.
11. Ensure all newly installed and replaced equipment seamlessly integrate into existing controls system.
12. Assemble final commissioning report encompasses the entire commissioning process.

### Test and Balance Activities

1. Submittals on balancing procedures as required.
2. Provide a system balance according to NEBB Procedural Standards 9th Edition, 2019.
3. Upon completion of balancing, a typewritten report of recorded data will be furnished on NEBB forms.
4. Commissioning support of the HVAC systems.
  - (2) Site visits, one at 60% of ductwork installation and another inspection at 90% of the equipment installation.

- Inspection of the HVAC systems during the opposite season from that which the initial adjustments were made.
- Duct leakage witness verification.

#### Test and Balance Exclusions

1. Cost due to loss time that is out of our firm's control.
2. Overtime due to compressed schedule.
3. Cost of bond or builders risk premium.
4. Liquidated and Consequential Damages
5. Taxes.
6. Refrigeration measurements.
7. Cost of hardware or software for balancing purposes.
8. Lifts or scaffolding for access above 12 ft.
9. Sheaves or belts nor labor to change sheaves or belts.
10. Domestic water balance.
12. Sound and Vibration testing.
13. Testing of the direct expansion equipment.
14. Boiler operation / functional checks
15. CCIP
16. Cost associated with any COVID related activities, vaccinations, special PPE (beyond mask), and/or required testing.

Equipment to be Commissioned			
Equipment Type	Quantity	Sample Rate	Comments
<b>Mechanical Equipment</b>			
Outside Air Handling Units	2	100%	
Outside Air Handling Units (VAV)	7	100%	
Air Handling Units (VAV)	6	100%	
Air Cooled Chillers	2	100%	
Water Cooled Chillers	2	100%	
Ductless Mini Split Units	2	100%	
Boiler Justice Center / Historic	2	100%	
Variable Air Volume Units	One lot	25%	
Primary Chilled Water Pumps	8	100%	
Rooftop Units	2	100%	
Hot Water Pumps	2	100%	
Exhaust Fans	10	100%	
Electric Unit Heaters	7	100%	
Condensing Boilers	2	100%	
VRF Fan Coil Unit	10	100%	
VRF Condensing Unit	2	100%	
Cooling Tower	1	100%	
Condenser Water Pumps	2	100%	
DX Fan Coil Unit	1	100%	
Unit Heaters	7	100%	
<b>Electrical Equipment</b>			
Gas Generators	One lot	100%	
Automatic Transfer Switches	One lot	100%	Includes fire pump ATS
Uninterruptible Power Supplies	One lot	100%	
Switchboard	One lot	100%	
Distribution Panels	One lot	100%	Includes Emergency Panel
Panelboards	One lot	100%	
Lighting Controls	One lot	100%	
<b>Plumbing Equipment</b>			
Gas Water Heaters	2	100%	
Expansion Tank	1	100%	
Circulation Pumps	1	100%	
Elevator Sump Pumps	3	100%	
Domestic Water Pump	1	100%	
<b>Life Safety</b>			
Fire Alarm	One lot	100%	
Fire Protection	One lot	100%	

Scope Reduction Equipment Removed			
Card Readers	One lot	100%	Administration and Justice Center
Vehicle Detection	One lot	100%	Administration and Justice Center
Cameras	One lot	100%	Administration and Justice Center
Pushbutton Alarms	One lot	100%	Administration and Justice Center
Touchscreens	One lot	100%	Administration and Justice Center
Duress Detectors	One lot	100%	Administration and Justice Center
Elevators / Escalators	One lot	100%	Administration and Justice Center

Basis of Compensation for Commissioning & Test and Balance Services
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For fundamental commissioning services as defined above, we propose that the basis of compensation be a lump sum fee. We have also provided the costs for commissioning of the life safety system as well.

Fundamental Commissioning Services	\$ 368,400
Test and Balance Services	\$ 97,475
<b>Grand Total</b>	<b>\$465,875</b>

Accepted by **Brazoria County**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

Accepted by **P&A Commissioning LLC**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_



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July 24, 2023

Mr. Bob Daimler  
Sr. Construction Manager  
AG|CM Inc.  
(832) 687-6205 Mobile

Re: Proposal for BCCH Administration Building Deferred Testing Commissioning Services

Dear Mr. Daimler:

Pennington & Associates Commissioning LLC appreciates the opportunity to submit this proposal for commissioning services for the BCCH Administration Building Deferred Testing. We believe that we have an excellent understanding of the scope and complexities of this commissioning assignment and have assembled experienced, multidisciplinary professionals to provide AG|CM and Brazoria County with exceptional service.

Just as teams in various fields of endeavor are often judged by their "depth", we believe that our team is second to none in this respect. Pennington & Associates has a professional staff dedicated to commissioning located in the Houston Area. Therefore, you can be assured that our team will successfully accomplish work assignments and enhance the overall construction process.

Pennington & Associates can provide comprehensive commissioning services for the BCCH Administration Building Deferred Testing, as well as your other forthcoming projects. Our team is very experienced in managing different size, multidisciplined, complex projects that may require a sustained personnel commitment over several years. We believe that our combination of multidisciplined staff members provide a solid and comprehensive solution for the project. Our collective knowledge and expertise allows us to bring an abundance of experience to your project that is unparalleled by other commissioning firms.

We would like to thank you for your time and consideration during the review process and hope we have fully expressed our interest and demonstrated our enthusiasm in assisting AG|CM and Brazoria County with this commissioning project. Should you need to contact us regarding our submittal, please feel free to contact me at [cpennington@pa-cx.com](mailto:cpennington@pa-cx.com) or (281) 740-1189.

Sincerely,  
Pennington & Associates Commissioning, LLC

A handwritten signature in blue ink that reads "Charles Pennington".

Charles Pennington  
Principal



### Commissioning Activities

1. Provide commissioning services of the following equipment:
  - (5) Five New Air Handling Units (AHUS's)
  - (1) Computer Room Air Conditioner (CRAC unit)
2. Development of pre-functional checklists to ensure equipment specified is delivered, stored and installed in accordance with contract documents.
3. Generate functional test procedures in accordance with contract drawings and submittals to achieve optimal system performance, desired sequences of operation and owner project requirements.
4. Verification of sequence of operations for specified equipment in all modes of operation, interlocks and safeties and systems integration testing.
5. Review graphic displays, trends and alarming for content and completeness and ensure they truly represent systems installed.
6. Assist with integrating commissioning activities into master project schedule resulting in clear and regular communications between all necessary parties and areas of technical expertise.
7. As construction progresses, facilitate periodic commissioning team meetings necessary to coordinate, schedule activities and resolve problems while attending construction meetings.
8. Generate and distribute meeting minutes to all project team members detailing the issues identified during commissioning meetings.
9. Ensure all newly installed and replaced equipment seamlessly integrate into existing controls system.
10. Assemble final commissioning report encompasses the entire commissioning process.

**Project Description**

There are currently (5) five temporary air handling units serving the building until the permanent units arrive later in the year. Upon arrival, P&A will actively coordinate the removal of the existing temporary units and commission the newly installed units once programmed. The units will be tested individually via the building automation system and subsequently verified as they are integrated into the existing HVAC system.

**Clarifications**

1. All testing will be performed during normal business hours unless otherwise discussed and approved by the commissioning agent.
2. This proposal was generated based on the assumption that complete sequences of operations will have been transmitted to our firm prior to generating functional performance testing scripts.
3. Pricing shown below includes a credit for not testing the secondary CRAC unit during initial testing.
4. CxAlloy software accurately tracks the status of the commissioning process in real time. It also affords live data entry and multiple users simultaneous input.

**Basis of Compensation**

For fundamental commissioning services as defined above, we propose that the basis of compensation be a lump sum fee. We have also provided the costs for commissioning of the life safety system as well.

Fundamental Commissioning Services	\$ 13,000
<b>Grand Total</b>	<b>\$13,000</b>

Accepted by **Brazoria County**

Accepted by **P&A Commissioning LLC**

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

By: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_