

**AMENDMENT TO AGREEMENT FOR
UTILITY ADJUSTMENTS**

**THE STATE OF TEXAS §
§
COUNTY OF HARRIS §**

**HARRIS COUNTY FLOOD CONTROL DISTRICT

PROJECT ID K163-00-00-E001**

THIS AMENDMENT TO AGREEMENT is made, entered into, and executed by and between the **Harris County Flood Control District**, a body corporate and politic under the laws of the State of Texas, hereinafter called "District," and CenterPoint Energy Resources Corp. doing business as **CenterPoint Energy Texas Gas Operations**, hereinafter called "OWNER."

WITNESSETH, THAT

WHEREAS, the District and OWNER previously entered into an Agreement for Utility Adjustments ("the Agreement"), dated April 28, 2020, to adjust, relocate or remove OWNER's facility as referenced in OWNER's Estimate of Cost received by HCFCD on February 19, 2020, to accommodate the K163-00-00 Channel Conveyance Improvements along Cypress North Houston Road, near HCFCD Unit K163-00-00; and

WHEREAS, the utility adjustments cost more than the OWNER's original Estimate of Cost shown in Exhibit "B" and Exhibit "C" in the Agreement; and

WHEREAS, the District now desires to compensate the OWNER for the overrun of \$39,737.16; and

WHEREAS, the District and the OWNER now desire to add Exhibit "H" to provide explanation of the overrun.

NOW, THEREFORE, the District and the OWNER, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

The Agreement now reading, in part:

Any reimbursement due under this Agreement will be based on OWNER's Estimate of Cost as shown in Exhibit "C" for Work executed in a commercially reasonable manner and in accordance with approved plans.

is hereby amended to read, in part:

Any reimbursement due under this Agreement will be based on OWNER's Estimate of Cost as shown in Exhibit "C" and OWNER's Explanation of Overrun as shown in Exhibit "H" for Work executed in a commercially reasonable manner and in accordance with approved plans.

Exhibit "H" is hereby incorporated, which is made a part thereof by reference for all purposes.

All other terms and provisions of the original Agreement shall remain in full force and effect as originally written.

EXECUTED on _____.

APPROVED AS TO FORM:

CHRISTIAN D. MENEFE
HARRIS COUNTY ATTORNEY

HARRIS COUNTY FLOOD CONTROL
DISTRICT

DocuSigned by:

By _____
ED17653073344AD...
Emily Kunst
Assistant County Attorney

By _____
Lina Hidalgo
County Judge

ATTEST:

CENTERPOINT ENERGY RESOURCES
CORP. DBA CENTERPOINT ENERGY
TEXAS GAS OPERATIONS

DocuSigned by:

By _____
4DB10DB108DC4F9...
Matthew Smith, Director of Engineering
Texas Gas Engineering

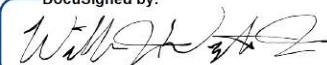
DocuSigned by:

By _____
3334760D00E94B1...
William (Jay) Dougherty Jr.
Director of Land and Field Services

Exhibit H

CenterPoint Energy

1111 Louisiana
Houston, TX 77002
P.O. Box 2628
Houston, TX 77252-2628

April 28, 2022

Harris County Flood Control District
9900 Northwest Freeway
Houston, TX 77092

RE: K163-00-00 at Cypress N Houston Rd
HCFCD Unit K163-00-00-E001
Project ID K163-00-00-E001
Harris County Purchase Order No. P001034
HCFCD Agreement No. 2020-175

This is to certify that the accompanying cost documents are screenshots from our accounting records using the SAP application. They are captured and printed exactly the way they are shown in our online record keeping with no modification except for the work order heading for clarity.

Layout		/NVPREIM	Summarized by Cost Element		Active				
Order		92996342	Replace Main - Plastic						
COarea currency		USD	US Dollar						
D/C	Order	Cost Elem.	Cost element name	ValCO&Cur	Quantity	UOM	OffAct	Offset.acct	Offset. acct name
*		530999	M&S-Inventory Issued	3,420.59					
*		540050	Construction Svcs	15,628.86					
*		543010	Prof Serv-Ded	24,016.18					
*		550020	Misc Adm Expenses	190.00					
*		641001	Construction OH	13,283.82					
*		641002	Stores Overhead	809.41					
**				57,348.86					

Please let me know if you have any questions or need additional information at 713-207-5625 or Katie.Sorge@centerpointenergy.com

Sincerely,

Katie Sorge, P.E.
Manager, Engineering Gas Houston PI
Office: (713) 207-5625



CenterPoint Energy

1111 Louisiana
Houston, TX 77002
P.O. Box 2628
Houston, TX 77252 2628

November 9, 2022

Harris County Flood Control District
9900 Northwest Freeway
Houston, TX 77092RE: K163-00-00 at Cypress N Houston Rd
HCFCF Unit K163-00-00-E001
Project ID K163-00-00-E001
Harris County Purchase Order No. P001034
HCFCF Agreement No. 2020-175

This is to certify that the accompanying cost documents are screenshots from our accounting records using the SAP application for the HCFCF Project ID# K163-00-00-E001. They are captured and printed exactly the way they are shown in our online record keeping with no modification except for the work order heading for clarity.

The total incurred cost for the relocation of CenterPoint Energy gas facilities was \$57,348.86. This request is for the additional amount of \$39,737.16 that exceeded the agreement amount of \$17,611.70. A previous request for the agreement amount was submitted to Harris County on February 15, 2022.

Additional materials were required to complete the project that were not included in the estimate and therefore the actual material costs and stores overhead were greater than the estimate. The additional material included couplings, valve boxes, tees, and other fittings. The difference between the estimate and actual material costs and stores overhead was \$2,507.24 (~6.31% of the total overage).

Engineering costs of \$24,016.18 (~60.44% of the total overage) were not included in the original estimate submitted to HCFCF for the utility adjustment agreement.

The estimate listed in the agreement was created without input from CenterPoint's Contract Services department because the gas relocation project was at high risk of negatively impacting HCFCF's schedule. The standard process at CenterPoint is to provide a copy of the approved plans to Contract Services to bid the project so the estimate can better reflect the anticipated charges. This process can take, at minimum, two weeks to complete, so an engineering estimate was used to reduce the overall length of time to create and execute the agreement between HCFCF and CenterPoint. An engineering estimate uses average values for materials and construction labor and these estimated values do not take into consideration unique challenges of a project. The resulting difference between the estimate and actual construction labor charges is \$3,218.86 (~8.10% of the total overage).

The general overhead was estimated at \$3,288.94, but the actual overhead was higher due to the engineering overages. The difference between the actual and estimated overhead was \$9,994.88 (~25.15% of the total overage)

CenterPoint Energy Gas is requesting payment from Harris County Flood Control District for the additional cost of \$39,737.16 incurred as shown on attached page 8 of 42. The actual cost exceeded the estimated cost of \$39,737.16 shown in the Owner's Estimate of Cost in Exhibit "C"

of Agreement for Utility Adjustments No. 2020-175. CenterPoint Energy Gas is requesting for the DISTRICT to seek authorization from the Harris County Commissioners Court to pay the additional amount of \$39,737.16.

Please let me know if you have any questions or need additional information at 713-207-5625 or Katie.Sorge@centerpointenergy.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Sorge", written in a cursive style.

Katie Sorge, P.E.
Manager, Engineering Gas Houston PI
Office: (713) 207-5625

Project Name	Cypress North Houston K163
Main W.O. #	9296342
Date	4/8/2022

Material Estimate					Material Actual Charges			Variance Explanations	
SAP Equip. No.	Description	Qty	Unit	Unit Cost	Unit	Unit Cost	Total Cost		
230647	PIPE, PL4, 4 IPS, YELLOW, SDR-11.5	280	FT	\$ 2.46	FT	\$ 2.56	\$ 23.06		Material approved in estimator, lower quantity used in assembly.
183693	ANODE,ZINC, 5# 99.99%, W/7" #12TW,PKG	2	EA	\$ 15.67	EA	\$ 21.44	\$ 42.87		Material approved in estimator, price was higher for materials than estimated.
207195	TEST STATION, 66", INTERNAL TERMINAL, YELC	2	EA	\$ 24.90	EA	-	\$ -		Material determined not needed to complete installation.
225755	MARKER BALL, OMNI-MODEL #164, GAS	4	EA	\$ 6.81	EA	-	\$ -		Material determined not needed to complete installation.
182759	SIGN, 9X12, WARNING GAS PIPELINE, HOUSTON	2	EA	\$ 4.14	EA	-	\$ -		Material determined not needed to complete installation.
181389	CAP, PL4, 4 IPS, BUTT FUSION, YELLOW, PE-2406	4	EA	\$ 4.22	EA	\$ 4.22	\$ 8.44		Material approved in estimator, lower quantity used in assembly.
181398	ELL, 90, PL4, 4 IPS, BUTT FUSION, SDR-11, YELLOW/P	4	EA	\$ 7.31	EA	\$ 7.31	\$ 14.61		Material approved in estimator, lower quantity used in assembly.
183747	WIRE, COPPER, #10 AWG, SOLID, TYPE HMWPE	280	FT	\$ 0.14	FT	-	\$ -		Material determined not needed to complete installation.
180822	VALVE, BOX, 5'-14"X24", PL4, COMPLETE	2	EA	\$ 57.90	EA	-	\$ -		Material determined not needed to complete installation.
181708	VALVE-BALL, PL4, 4 INCH, FOR YELLOW/PE PIPE	2	EA	\$ 154.94	EA	-	\$ -		Material used to complete installation. Not included in approved agreement assembly.
181390	CAP, PL4, 4 IPS, BUTT FUSION, YELLOW, PE-2406	0	EA	-	EA	\$ 10.72	\$ 21.44		Material used to complete installation. Not included in approved agreement assembly.
181395	COUPLING, REDUCER, 6X4, IPS, PE-2406, BUTT	0	EA	-	EA	\$ 14.02	\$ 28.03		Material used to complete installation. Not included in approved agreement assembly.
181710	VALVE-BALL, PL4, 6 INCH, FOR YELLOW/PE PIPE	0	EA	-	EA	\$ 340.98	\$ 1,363.90		Material used to complete installation. Not included in approved agreement assembly.
181399	ELL, 90, PL4, 6 IPS, BUTT FUSION, SDR-11, PE-2406	0	EA	-	EA	-	\$ -		Material determined not needed to complete installation.
230643	PIPE, PL4, 1 CTS, YELLOW, SDR-11.5, 0.99 WALL	0	FT	-	FT	\$ 0.27	\$ 12.34		Material used to complete installation. Not included in approved agreement assembly.
230644	PIPE, PL4, 2 IPS, SDR-11, YELLOW, 500' ROLL	0	FT	-	FT	\$ 0.72	\$ 14.40		Material used to complete installation. Not included in approved agreement assembly.
230649	PIPE, PL4, 6 IPS, YELLOW, SDR-11.5	0	FT	-	FT	\$ 5.00	\$ 1,488.59		Material used to complete installation. Not included in approved agreement assembly.
258787	RISER, STEEL, 1" X 60, F-1 CTS, ANODELESS	0	EA	-	EA	\$ 44.24	\$ 132.72		Material used to complete installation. Not included in approved agreement assembly.
183743	WIRE, COPPER, #12 AWG, SOLID, TYPE HMWPE	0	EA	-	EA	\$ 0.11	\$ 31.11		Material used to complete installation. Not included in approved agreement assembly.
206140	TEE, TAPPING, PL4, 4"X1"CTS, SOCKET FUSION	0	EA	-	EA	\$ 4.24	\$ 4.24		Material used to complete installation. Not included in approved agreement assembly.
181367	COUPLING, PL4, FUSAMATIC 4, CENTRAL	0	EA	-	EA	\$ 10.70	\$ 10.70		Material used to complete installation. Not included in approved agreement assembly.
181368	COUPLING, PL4, FUSAMATIC 6, CENTRAL	0	EA	-	EA	\$ 26.33	\$ 157.99		Material used to complete installation. Not included in approved agreement assembly.
246137	TEE, TAPPING, PL4, 4"X1"CTS, ELECTROFUSION	0	EA	-	EA	\$ 9.91	\$ 19.81		Material used to complete installation. Not included in approved agreement assembly.
181393	COUPLING, REDUCER, 4X2, IPS, BUTT FUSION	0	EA	-	EA	\$ 5.15	\$ 5.15		Material used to complete installation. Not included in approved agreement assembly.
181408	TEE, PL4, 6 IPS, BUTT FUSION, YELLOW, PE-2406	0	EA	-	EA	\$ 20.60	\$ 41.19		Material used to complete installation. Not included in approved agreement assembly.
Materials Total						\$	\$ 3,420.59		
P/S Overhead @ 30.89%						\$	\$ 809.41		

Contract Labor					Contract Labor			Variance Explanations	
	Description	Qty	Unit	Unit Cost	Unit	Unit Cost	Total Cost		
	4" Plastic Main	280	FT	\$ 20.00	FT	-	\$ -		Labor breakdown was not known in advance so it was quoted in lump sum.
	Restoration	1	EA	\$ 2,500.00	EA	-	\$ -		Labor breakdown was not known in advance so it was quoted in lump sum.
	Exposed Crossing Removal	3	EA	\$ 1,500.00	EA	-	\$ -		Labor breakdown for 6" PL4, originally quoted as lump sum.
	4 PERSON CREW & EQUIP.	0.000	HR	\$ -	HR	\$ 210.37	\$ 12,622.20		
	BORING 6" DIA.	0	HR	\$ -	HR	\$ 11.84	\$ 2,723.20		
	ENGINEERING	0	EA	\$ -	EA	\$ 24,016.18	\$ 24,016.18		
	MISCL. MATERIALS & SUPPLIES	0.000	HR	\$ -	HR	\$ 1.00	\$ 283.46		
	Admin Expenses	0.000	EA	\$ -	EA	\$ 1.00	\$ 190.00		
	Labor Total						\$ 39,835.04		

Total Cost (Labor + Material + Store Overhead)	\$ 44,065.04
General Overhead @ 22.963%	\$ 13,283.82
Total Construction Cost with General Overhead	\$ 57,348.86

* All material used for this project was taken from stores

Stores and Construction Overhead represent actual costs incurred by the Company in the ordinary course of business. Stores Overhead activities include staffing and operating inventory warehouses, from which inventory is issued to specific jobs. Construction Overhead activities include engineering design, service to new customers, work order creation, work order completion, work order dispatching, underground line locating and geographic information system interface. Stores and Construction Overhead activities support field personnel in performing their jobs and are required for creation, completion and closing of work orders. As a result, these costs are charged to all applicable work orders. All capital work orders for (1) new construction, (2) system improvement and (3) public improvement, unless specifically identified, will be charged Construction Overhead. Actual charges to work orders are achieved by means of an overhead rate applied to incurred work order cost. Overhead rates are estimates designed to clear incurred overhead costs to work orders. In accordance with Company policy, overhead rates are adjusted at least quarterly, and more often if necessary, in order to ensure over/under clearings of incurred overhead costs are properly monitored and controlled.

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on _____, with the following members present, to-wit:

Lina Hidalgo	County Judge
Rodney Ellis	Commissioner, Precinct No. 1
Adrian Garcia	Commissioner, Precinct No. 2
Tom S. Ramsey, P.E.	Commissioner, Precinct No. 3
Lesley Briones	Commissioner, Precinct No. 4

and the following members absent, to-wit: _____, constituting a quorum, when among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF AN AMENDMENT TO
 AGREEMENT FOR UTILITY ADJUSTMENTS
 BETWEEN THE HARRIS COUNTY FLOOD CONTROL DISTRICT
 AND CENTERPOINT ENERGY RESOURCES CORP. DBA
 CENTERPOINT ENERGY TEXAS GAS OPERATIONS**

Commissioner _____ introduced an order and made a motion that the same be adopted. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

		Yes	No	Abstain
AYES:	Judge Lina Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAYS:	Comm. Rodney Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTENTIONS:	Comm. Adrian Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Comm. Tom S. Ramsey, P.E.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Comm. Lesley Briones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order thus adopted follows:

WHEREAS, the utility adjustments cost more than the OWNER's original Estimate of Cost shown in Exhibit "B" and Exhibit "C" in the Agreement; and

WHEREAS, the District now desires to compensate the OWNER for the overrun of \$39,737.16; and

WHEREAS, the District and the OWNER now desire to add Exhibit "H" to provide explanation of the overrun.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS THAT:

Section 1: The recitals set forth in this order are true and correct.

Section 2: County Judge Lina Hidalgo is hereby authorized to execute for and on behalf of the Harris County Flood Control District, an Amendment to Agreement for Utility Adjustments by and between the Harris County Flood Control District and CenterPoint Energy Resources Corp. dba CenterPoint Energy Texas Gas Operations, to compensate for an overrun in the utility adjustments, for an additional fee of \$39,737.16, raising the maximum fee to be paid by the District to \$57,348.86, said Amendment to Agreement being incorporated herein by reference for all purposes as though fully set forth verbatim herein.

CIP-N CENTERPOINT K163-E001 2020-175 AMEND.DOCX

