

January 24, 2024

Town of Fulton
PO Box 1130
Fulton, TX 78358

RE: Grant Administration Services Amendment No. 2 for Town of Fulton – General
Land Office Contract No. 20-065-054-C164

Dear Mayor Cole,

In response to the evolving dynamics of GLO disaster recovery and mitigation projects, we are proposing a strategic amendment to the current admin billing structure. This adjustment seeks to enhance billing efficiency and transparency *without altering the financial commitment established within the existing contract.*

This amendment would implement a progress billing approach for key milestones, aligning with all not-to-exceed percentages within the GLO State Contract, resulting in increased predictability in project invoicing. This amendment seeks to acknowledge the inherent complexities of project execution, particularly during the Environmental Authority to Use Grant Funds (AUGF) and Construction progress milestones as well as more closely align with the quarterly billing requirements of the GLO. Ultimately, we hope to mitigate the impact of financial peaks and valleys by spreading costs over time, fostering a more stable and manageable financial landscape.

Additionally, GrantWorks has partnered with LCPtracker, a leading software solution for certified payroll and workforce reporting which will reduce common payroll issues and increase the efficiency of payroll submissions while introducing additional layers of validation to ensure regulatory compliance. The implementation of LCPtracker on other similar projects has already resulted in time and cost savings and a high degree of contractor and client satisfaction.

Enclosed is an amendment to GrantWorks' administration services agreement to amend the milestone structure of the existing contract and support the use of LCPtracker.

Upon the Town's approval, please sign and return these documents to me.

Please contact me directly if you have any further questions on this, or if I may be of further assistance. Thank you!

Melinda Kapelka
Project Manager

Amendment No. 2

For GRANT ADMINISTRATION SERVICES
Related to GLO State Contract Number 20-065-054-C164

THIS AMENDMENT, MADE THIS 24 OF JANUARY 2024 BY AND BETWEEN TOWN OF FULTON, hereinafter referred to as the Client, and GRANTWORKS, INC., Austin, Texas, hereinafter referred to as the Consultant.

In summary, this amendment is designed to optimize the billing process, providing Client with financial predictability, a more uniform distribution of grant funds, reduced financial strain, and enhanced compliance with GLO billing requirements, collectively strengthening the overall financial management of the project.

Description of Amendment:

1. Part III. COMPENSATION AND METHOD OF PAYMENT:

Add the following text:

This amendment hereby supersedes and replaces the existing fee schedule outlined on page 1 of the original contract. In its place, the parties agree to adopt the following revised fee schedule. The terms and conditions governing fees, invoicing, and payment outlined in the original contract shall remain in force, except as expressly modified by this amendment.

Administrative Services Milestones	Fee	Progress
Project Kick-Off and Startup Package - signatory form; audit certification; labor standards designations; direct deposit form; acquisition report submitted if applicable	\$ 41,629.05	15%
Environmental Notice to Proceed	\$ 41,629.05	15%
Environmental Site Photos and Field Log	\$ 13,876.35	5%
Environmental Agency Letters Sent	\$ 13,876.35	5%
Finding of No Significant Impact (FONSI) Posted	\$ 13,876.35	5%
Environmental Review Record complete - Authority to Use Grant Funds issued	\$ 13,876.35	5%
Bid Advertised	\$ 27,752.70	10%
Construction Notice to Proceed	\$ 69,381.75	25%
25% Construction Complete	\$ 6,938.17	2.5%
75% Construction Complete	\$ 6,938.17	2.5%
Construction Complete, Final Wage Compliance Report issued	\$ 13,876.35	5%
Closeout Packet submitted and approved	\$ 13,876.35	5%
ADMINISTRATION SUBTOTAL	\$ 277,527.00	
Environmental Services Milestones	Fee	Progress
Commencement of Environment Phase	\$ 2,250.00	30%
Environmental Review Record complete - Authority to Use Grant Funds issued	\$ 5,250.00	70%
ENVIRONMENTAL SUBTOTAL	\$ 7,500.00	
TOTAL	\$ 285,027.00	

Client acknowledges and agrees that Contractor shall be entitled to submit progress invoices periodically and as deemed necessary by the Contractor, reflecting work completed, not to exceed in aggregate the fee service total, until the project's satisfactory completion. Client undertakes to make payment on each such invoice within the specified terms outlined in this agreement.

Contractor shall have the right to bill Client on a pro-rata basis as each identifiable grant Project Site achieves specified billing milestones outlined in the fee schedule. The billing for each Project Site shall be calculated proportionally based on the completion of the respective milestones. The Client agrees to make payments within the specified terms as stipulated in this agreement. The pro-rata billing approach applies independently to each Project Site and does not affect the overall billing for the entire project, which may continue as per other relevant provisions of this contract.

2. GRANT ADMINISTRATION SERVICES PART II – TERMS AND CONDITIONS

Add the following text:

20. USE OF CLOUD-BASED CERTIFIED PAYROLL SOLUTION. Upon procurement of any prime construction contractor or subcontractor subject to Davis-Bacon certified payroll or other prevailing wage compliance requirements to perform work related to the Services described herein, the Client shall require and enforce the use of LCPtracker, a cloud-based SaaS solution, for any certified payroll tracking, construction site compliance, and workforce reporting. Access to LCPtracker will be furnished by the Consultant.

3. AGREEMENT FOR GRANT ADMINISTRATION SERVICES PART III – SCOPE OF WORK. Grant Administration Services – General. (a) Administrative Duties: vi. Labor and procurement duties:

Add the following text:

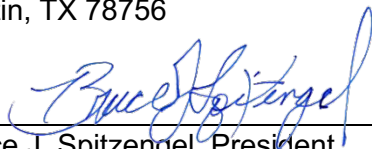
b. [Consultant to] Furnish access to LCPtracker, a cloud-based SaaS solution, for certified payroll tracking, construction site compliance, and workforce reporting.

All other terms and conditions of the Agreement between the Client and GrantWorks will remain in full force and effect.

Town of Fulton
PO Box 1130
Fulton, TX 78358

GrantWorks, Inc.
2201 Northland Drive
Austin, TX 78756

By: _____
Kelli Cole, Mayor

By:  _____
Bruce J. Spitzengel, President