

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**FIFTH AMENDMENT TO
PROFESSIONAL ENGINEERING SERVICES AGREEMENT**

THIS FIFTH AMENDMENT, is made and entered into by and between Fort Bend County (hereinafter "County"), a body corporate and politic under the laws of the State of Texas, and SES Horizon Consulting Engineers, Inc., (hereinafter "Engineer"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Professional Engineering Services Agreement on June 10, 2008, (hereinafter "Agreement"), a First Amendment dated February 2, 2010, (hereinafter "First Amendment"), a Second Amendment dated September 6, 2011, (hereinafter "Second Amendment"), a Third Amendment dated May 7, 2013, (hereinafter "Third Amendment"), and a Fourth Amendment dated April 7, 2015, (hereinafter "Fourth Amendment"); and

WHEREAS, the parties desire to further amend the Agreement for additional services to be provided and increase the total Maximum Compensation for the completion of such additional services.

NOW, THEREFORE, the parties do mutually agree as follows:

1. County shall pay Engineer an additional eighty-four thousand ninety-one dollars and 25/100 (\$84,091.25) for the additional Professional Engineering and Technical Services – Construction Phase and Construction Inspection Services as described in the formal request for authorization dated November 13, 2015 attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The Maximum Compensation payable to Engineer for Services rendered is hereby increased to an amount not to exceed one million fifty-six thousand six hundred seventy dollars and 25/100 (\$1,056,670.25), authorized as follows:
 - \$650,000.00 under the Agreement;
 - \$0.00 under the First Amendment (time extension only);
 - \$41,000.00 under the Second Amendment;
 - \$99,437.00 under the Third Amendment;
 - \$182,142.00 under the Fourth Amendment; and
 - \$84,091.25 under this Fifth Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and the subsequent amendments thereof exceed the Maximum Compensation without an approved change order.

Except as provided herein, all terms and conditions of the Agreement and the subsequent Amendments shall remain unchanged.

FORT BEND COUNTY

SES HORIZON CONSULTING ENGINEERS, INC.

Robert E. Hebert, County Judge

E.E. Salazar, Jr., P.E.
Epifanio E. Salazar, Jr., P.E., Principal

Date

11-19-2015
Date

ATTEST:

Laura Richard, County Clerk

APPROVED:

Richard W. Stolleis, P.E., County Engineer

APPROVED AS TO LEGAL FORM:

Marcus D. Spencer, First Assistant County Attorney

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ _____ to accomplish and pay the obligation of Fort Bend County under this contract.

Robert "Ed" Sturdivant, County Auditor

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EXHIBIT A



November 13, 2015

Mr. Stacy Slawinski, P.E.
Assistant County Engineer
Fort Bend County Engineering Department
301 Jackson Street
Richmond, Texas 77469

Reference Project:
2007 Fort Bend County Mobility Program
Brand Lane
Avenue E To US 90A
Fort Bend Project No. 718/769

Dear Mr. Slawinski:

This letter serves as a formal request from SES Horizon Consulting Engineers, Inc. (**SES**) to Fort Bend County (**FBC**) for **FBC** to direct **SES** to provide Professional Engineering and Technical Services – Construction Phase And Construction Inspection Services, for the above referenced project. These Professional Services are required to execute the overall scope of work for the above referenced project.

We are requesting authorization and notice to proceed with these services at a fee of **\$84,091.25**. The fee breakdown (existing budget versus proposed budget) is attached in an email from **SES** to **FBC** dated October 16, 2015.

Please review and advise if you require any additional information and/or clarifications. We look forward to providing this service to **FBC**.

Sincerely,

SES HORIZON CONSULTING ENGINEERS, INC.
TBPE Firm Registration Number 3922

A handwritten signature in black ink that reads "Epi E. Salazar Jr. P.E." The signature is written in a cursive style.

Epifanio (Epi) E. Salazar Jr., P.E., Principal