

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**SECOND AMENDMENT TO AGREEMENT FOR
PROFESSIONAL PROPERTY ACQUISITION SERVICES
2007 MOBILITY BOND – FM 1093/WESTPARK EXTENSION PROJECT NO. 748**

THIS 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 Percheron, LLC, formerly known as Percheron Field Services, LLC (hereinafter “Contractor”), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Property Acquisition Services on February 26, 2013, (hereinafter “Agreement”), as amended by instrument dated November 24, 2015, (hereinafter “Amendment”); and

WHEREAS, the parties desire to further amend the Agreement for additional services to be provided, extend the Time of Performance, and increase the total Maximum Compensation for the additional time necessary for completion of additional Services.

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

1. County shall pay Contractor an additional four hundred twenty-nine thousand eight hundred ten dollars and no/100 (\$429,810.00) for the additional hours necessary to complete the property acquisition services to be rendered under the Agreement as described in Exhibit “A” attached hereto and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for Services rendered is hereby increased to an amount not to exceed seven hundred eleven thousand five hundred thirty-five dollars and no/100 (\$711,535.00), authorized as follows:
 - \$158,500.00 under the Agreement;
 - \$123,225.00 under the Amendment; and
 - \$429,810.00 under this Second Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement, the Amendment and this Second Amendment exceed the Maximum Compensation without written consent of County.
4. The Time of Performance under the Agreement is hereby extended to end no later than December 31, 2017.

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

FORT BEND COUNTY

PERCHERON, LLC,
Formerly known as Percheron Field Services, LLC

Robert E. Hebert, County Judge



Ana Rausch, Senior Vice President

Date

February 12, 2016

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



FM 1093 Phase 2

Classification	Description	Number of Parcels	Estimated number of Hours per parcel	Unit Cost	Net Cost
Project Manager	Project Management and Oversight	36	10	\$85.00	\$30,600.00
Sr Right of Way Agent	Parcel Negotiations	30	40	\$75.00	\$90,000.00
Sr Right of Way Agent	Negotiate Donation Parcel	6	13	\$75.00	\$5,850.00
Relocation Agent	Relocation Assistance	67	24	\$75.00	\$120,600.00
Document Specialist	Administrative Support	36	14	\$65.00	\$32,760.00
Appraisals	Appraisals	30	NA	\$3,500.00	\$105,000.00
Appraisal Review	Appraisal Review	30	NA	\$1,500.00	\$45,000.00
Total Cost					\$429,810.00

Company Name	Percheron
Address	1904 W Grand Parkway N. Suite 200
City, State, Zip	Katy, Texas, 77449
Phone	832.300.6400
Contact	Ana Rausch
E-mail	ana.rausch@percheronllc.com



Scope of Services:

- * 36 Parcels with 6 possible donations
- * 67 Relocations in 5 Buildings (66 Tenants on Parcel 409 and 1 business on Parcel 410)

Management:

Includes part-time Manager for the duration of the project for oversight

Appraisal:

Includes Appraisal and appraisal review

Negotiations:

Includes right of way agent that is TREC licensed during Negotiations and condemnation support. Agent will adhere to Texas Senate Bill 18.

Relocation:

Includes certified relocation agent to coordinate relocation and calculate relocation benefits based on The Uniform Act (URA)

Administrative Support:

Includes document specialist for preparation of legal documents, for tracking status reports and project support. Coordinate with Title Company for closings and Ft Bend Legal for Condemnation Support

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.	OFFICE USE ONLY CERTIFICATION OF FILING
1 Name of business entity filing form, and the city, state and country of the business entity's place of business. Percheron LLC Katy, TX United States	Certificate Number: 2016-12139
2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed. Fort Bend County	Date Filed: 02/10/2016
Date Acknowledged:	

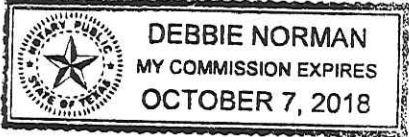
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

14-025
 Right of Way Acquisition and Relocation Services for FM 1093, Phase 2

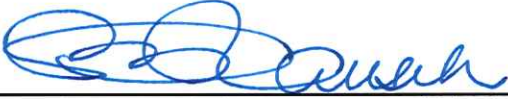
4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Percheron Holdings, LLC	Katy, TX United States	X	

5 Check only if there is NO Interested Party.


6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



AFFIX NOTARY STAMP / SEAL ABOVE


 Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said Ana Rausch, this the 11th day of February 20 16, to certify which, witness my hand and seal of office.


Signature of officer administering oath

Debbie Norman
Printed name of officer administering oath

Exec. Asst.
Title of officer administering oath