

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**SECOND AMENDMENT TO AGREEMENT FOR
PROFESSIONAL ENGINEERING SERVICES**

THIS SECOND 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 Binkley & Barfield, Inc., (hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Agreement for Professional Engineering Services on February 28, 2017, (hereinafter "Agreement") for Services to be provided under the Fort Bend County 2013 Mobility Bond Program – A. Myers Road Extension from Berdett Road to FM 762 – Project No. 13102, pursuant to SOQ 14-025, as amended by document dated July 25, 2017; and

WHEREAS, the parties desire to amend the Agreement for additional professional engineering and design Services to be provided and increase the total Maximum Compensation available to perform the Services.

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

1. County shall pay Contractor an additional thirty-six thousand three hundred sixteen dollars and no/100 (\$36,316.00) to render additional Services to County as described in the Proposal for Additional Professional Services attached as Exhibit "A" hereto and incorporated herein for all purposes; and
2. The Maximum Compensation payable to Contractor for all Services rendered under the Agreement and this Amendment is hereby increased to an amount not to exceed three hundred ninety-eight thousand four hundred fifty-three dollars and no/100 (\$398,453.00), authorized as follows:


\$337,920.00 under the Agreement;
\$24,217.00 under the Amendment; and
\$36,316.00 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 amendment executed by the parties.

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

FORT BEND COUNTY

BINKLEY & BARFIELD, INC.

Robert E. Hebert, County Judge



David Hamilton, P.E., Executive Vice President

Date

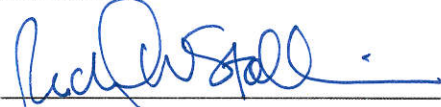
11/2/17

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



October 18, 2017

Mr. Robert W. Barnett, P.E.
LJA Engineering, Inc.
2929 Briarpark Drive Suite 600
Houston, Texas 77042-3703

**Re: Proposal for Additional Professional Services – A. Myers Road Extension
From Berdett Road to FM 762**

Dear Mr. Barnett:

Binkley & Barfield, Inc. (BBI) is pleased to submit this proposal for the additional design of the A. Myers Road Extension for the widening of Berdett Road. The fee is based upon the Scope of Work (SOW) of the additional design efforts outlined by Fort Bend County (FBC) and recent discussions with you. Refer to the original SOW for all other design efforts.

The additional scope will be to widen Berdett Road to accommodate a turn lane traveling north and south to access A. Myers Road. This will entail modifying several existing sheets and adding additional sheets. Included in this proposal is the additional survey along Berdett Road FM 762.

The preliminary design will commence prior to survey completion, in order to be combine with the current set for letting purposes. Once the survey is complete (30 calendar days from authorization), the final set will be re-issued within 2 weeks.

The design fee for both the additional design scope and survey is \$36,316.00 and is detailed in the attachment.

If you have any questions please give me a call or send me an email.

Sincerely,

Kevin Mineo

Binkley & Barfield, Inc.
Consulting Engineers

Kevin A. Mineo, P.E.
Senior Project Manager
Transportation Group

CC: DAH
MM: vvp
Attachments

SUMMARY OF WORK
FORT BEND COUNTY – A. MYERS ROAD

ADDITIONAL DRAWINGS

- TCP plans and Detours (3 Sheets)
- Road Plan & Profile 1"=100' H / 1"=10' V (2 Sheets)
- Signing Pvmnt & Signing (1 Sheet)
- Traffic Control Plan Berdett Rd. (2 Sheets)
- Storm Water Pollution Prevention Plan (1 Sheet)

End of Summary of Work

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.

Binkley & Barfield, Inc.
Houston, TX United States

Certificate Number:
2017-280502

Date Filed:
11/06/2017

Date Acknowledged:

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

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 services, goods, or other property to be provided under the contract.

13102 SOQ 14-025
2013 Mobility Bond Program - A. Myers Road Extension from Berdett Road to FM762

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) | |
|---|--------------------------|--|--|--------------|
| | | | Controlling | Intermediary |
| | Binkley, James Brett | Houston, TX United States | X | |
| | Williams, RPLS, Steven | Houston, TX United States | X | |
| | Laham, P.E., Youssef | Houston, TX United States | X | |
| | Hamilton, P.E., David | Houston, TX United States | X | |
| | Barfield, P. E., Larry | Houston, TX United States | X | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

5 Check only if there is NO Interested Party. ☐

6 AFFIDAVIT



Ashlee Michelle McConnell
Notary Public
State Of Texas
My Comm. Exp. 7-22-18

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

Marcia Martin

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Marcia Martin, this the 6th day of Nov, 2017, to certify which, witness my hand and seal of office.

Ashlee M. McConnell Ashlee M. McConnell Notary
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath