

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

### SEVENTH AMENDMENT TO AGREEMENT FOR ENGINEERING SERVICES

**THIS SEVENTH AMENDMENT** is made and entered into by and between FORT BEND COUNTY, TEXAS, a public body corporate and politic of the State of Texas, acting by and through the Fort Bend County Commissioners Court (hereinafter referred to as "County") and KLOTZ ASSOCIATES, INC., (hereinafter referred to as "Engineer,") authorized to conduct business in the State of Texas.

#### RECITALS

WHEREAS, on or about March 4, 2008, County and Engineer entered into an Agreement for Engineering Services, (hereinafter referred to as the "Agreement"), for general engineering consulting services related to the 2007 Mobility Bond Project, (hereinafter referred to as the "Project"); and,

WHEREAS, County and Engineer entered into a First Amendment to the Agreement on August 25, 2009 (hereinafter referred to as "First Amendment"), the Second Amendment dated February 10, 2015, (hereinafter referred to as "Second Amendment"), the Third Amendment dated September 1, 2015, (hereinafter referred to as "Third Amendment"), the Fourth Amendment dated April 5, 2016, (hereinafter referred to as "Fourth Amendment"), the Fifth Amendment dated December 20, 2016, (hereinafter referred to as "Fifth Amendment"), and the Sixth Amendment dated April 25, 2017 to allow for additional general engineering consulting services; and,

WHEREAS, County and Engineer desire to further amend said Agreement to add professional engineering and project management services related to the 2007 Mobility Bond Projects.

NOW, THEREFORE, in consideration of the foregoing, the Agreement between County and Engineer is hereby amended as follows:

1. An additional amount not-to-exceed \$300,000.00 shall be available for additional services as described the Proposal for Supplemental Services dated July 10, 2017 attached hereto as Exhibit A to be provided by Engineer as requested by County.
2. Engineer's compensation for the Project shall not exceed a total maximum compensation in an amount not to exceed \$2,468,269.36, authorized as follows:
  - a. Original Agreement not to exceed: \$300,000.00;
  - b. First Amendment not to exceed: \$211,834.68;
  - c. Second Amendment not to exceed: \$341,434.68;
  - d. Third Amendment not to exceed: \$145,000.00;
  - e. Fourth Amendment not to exceed: \$320,000.00;
  - f. Fifth Amendment not to exceed: \$350,000.00;
  - g. Sixth Amendment not to exceed: \$500,000.00; and this
  - h. Seventh Amendment not to exceed: \$300,000.00.
3. No additional funding shall be available for services provided under the Agreement without prior written consent of County.

4. If there is a conflict between this Seventh Amendment, the Agreement, and/or the subsequent Amendments, the provisions of this Seventh Amendment shall prevail.

EXECUTION

This Seventh Amendment shall become effective upon execution by County.

FORT BEND COUNTY, TEXAS:


\_\_\_\_\_  
Robert E. Hebert, County Judge

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Laura Richard, County Clerk

APPROVED: COUNTY ENGINEER

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

11/28/2017  
\_\_\_\_\_  
Date

ENGINEER: KLOTZ ASSOCIATES, INC.

  
\_\_\_\_\_  
Authorized Agent – Signature

10/12/2017  
\_\_\_\_\_  
Date

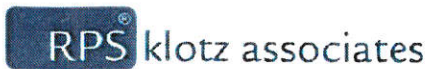
*David C. Balmos, Sr. Vice President*  
\_\_\_\_\_  
Authorized Agent – Printed Name and Title

AUDITOR'S CERTIFICATE

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

\_\_\_\_\_  
Robert Ed Sturdivant, County Auditor

# EXHIBIT A



1160 Dairy Ashford, Suite 500, Houston, Texas 77079  
T 281 589 7257 E email@klotz.com W www.rpsgroup.com | www.klotz.com

July 10, 2017

Mr. Richard Stolleis, PE  
Fort Bend County Engineering  
301 Jackson Street, 4<sup>th</sup> Floor  
Richmond, Texas 77469

Re: Proposal for Supplemental Services on the 2007 Bond Projects  
(PO # 13703)  
Klotz Associates Project No.: 0262.014.000

Dear Mr. Stolleis:

We appreciate the opportunity to work with the County as Project Manager on the 2007 Bond Program projects. We have worked hard to be responsive to your needs, but we have expended the fees allocated to us previously and request that additional fee be added to our contract to provide redesign for the Trammel Fresno (746) project.

The level of effort expended has been much greater than anticipated for the Trammel Fresno redesign. We request an additional \$300,000 on a time and material basis.

If you need additional information, please feel free to call me at 281.589.7257.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Durgin".

Donald M. Durgin, P.E.  
Transportation Practice Manager

DMD

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

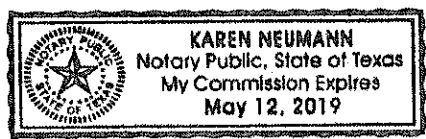
Complete Nos. 1 - 4 and 6 if there are interested parties. Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.	<b>OFFICE USE ONLY CERTIFICATION OF FILING</b>
<b>1 Name of business entity filing form, and the city, state and country of the business entity's place of business.</b> Klotz Associates, Inc. dba RPS Houston, TX United States	Certificate Number: 2017-271340
<b>2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.</b> Fort Bend County	Date Filed: 10/12/2017
Date Acknowledged:	

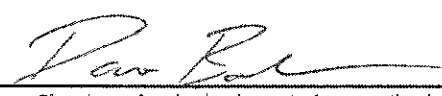
**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
 PO13703  
 Supplemental Services on the 2007 Bond Projects

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**5 Check only if there is NO Interested Party.**

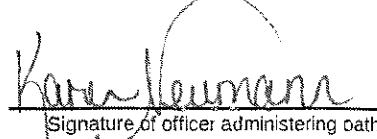
**6 AFFIDAVIT** I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



  
 \_\_\_\_\_  
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said David Balmos, this the 12th day of October, 2017, to certify which, witness my hand and seal of office.


 Karen Neumann  
 Signature of officer administering oath

Karen Neumann  
 Printed name of officer administering oath

Project Administrator  
 Title of officer administering oath