

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

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

THIS THIRD 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 Terra Associates, 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 July 7, 2015, (hereinafter “Agreement”) pursuant to SOQ 14-025, as amended by documents executed on February 5, 2019, (hereinafter “Amendment”), and June 4, 2019, (hereinafter “Second Amendment”); and

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

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

1. County shall pay Contractor an additional sixty-four thousand three hundred dollars and 00/100 (\$64,300.00), for the services as described in Contractor’s proposal for additional services dated June 23, 2019, attached hereto as Exhibit “A” 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 three hundred ninety-four thousand two hundred dollars and 00/100 (\$394,200.00), authorized as follows:
 - \$303,400.00 under the Agreement
 - \$19,700.00 under the Amendment;
 - \$6,800.00 under the Second Amendment and
 - \$64,300.00 under this Third Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and the amendments exceed the Maximum Compensation without written agreement executed by both parties.

4. The parties hereby acknowledge and agree that the terms and conditions of the Agreement have remained in effect since its execution, and the Time of Performance shall hereby be extended to end no later than December 31, 2022.
5. BY ACCEPTANCE OF AGREEMENT, CONTRACTOR ACKNOWLEDGES THAT THE COUNTY IS OPPOSED TO HUMAN TRAFFICKING AND THAT NO COUNTY FUNDS WILL BE USED IN SUPPORT OF SERVICES OR ACTIVITIES THAT VIOLATE HUMAN TRAFFICKING LAWS.

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

FORT BEND COUNTY


KP George, County Judge

Date

ATTEST:

Laura Richard, County Clerk

APPROVED:



J. Stacy Slawinski, P.E., County Engineer

APPROVED AS TO LEGAL FORM:

Marcus D. Spencer, First Assistant County Attorney

TERRA ASSOCIATES, INC



Authorized Agent – Signature

David A. Sepulveda, P.E.

Authorized Agent – Printed Name

Vice President

Title

04-08-2020

Date

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

EXHIBIT A



June 23, 2019

Mr. Stacy Slawinski, PE
Fort Bend County Engineering
301 Jackson Street
Richmond, Texas 77469

Re: **Lake Olympia Boulevard Segment 1 from Hurricane Lane to Chimney Rock Road
2013 Mobility Bond Project #13207
Fort Bend County, Texas**

TAI Project Number: 0522-1502
TBPE Registration # F-003832

Mr. Slawinski,

Terra Associates appreciates this opportunity to submit this proposal for additional services as required for the aforementioned project. The scope of the additional services is as follows:

Task X06 – Paving and Drainage Design Revisions

We will revise the paving and drainage design for Lake Olympia to coordinate with the design of the proposed single family residential (SFR) development on the north side of Lake Olympia between the Fort Bend Tollroad and Long Point Creek. Based on discussions with the county and the adjacent SFR developer, the drainage for the north side of Lake Olympia will be converted to underground storm sewer between the Fort Bend Tollroad and Long Point Creek. Terra Associates will provide the drainage design for this underground system. We will adjust the plan & profile sheets to reflect the new design. It is our understanding that the adjacent SFR developer will be providing the drainage design crossing under Lake Olympia from the SFR development on the north side of Lake Olympia to Long Point Creek. The adjacent SFR developer will also design the downstream ditch improvements. Terra's design will connect the adjacent SFR's system at the crossing under Lake Olympia Boulevard.

We will revise our drainage calculations and drainage area maps based on an underground storm system in this area and a reduced ROW of 100'. Off-site sheet flow coming from the SFR development that was previously accounted for in our design will be deleted from the ultimate drainage area maps and calculations. Since Lake Olympia could be built prior to the SFR development, we will account for this undeveloped sheet flow in a temporary condition using a ditch outside the Lake Olympia ROW. Once the SFR development begins, the SFR developer will fill in the temporary ditch.

East of Long Point Creek to Chimney Rock, we will deepen the roadside ditch on the north side of Lake Olympia to take advantage of the increased depth at the outfall. We will adjust the plan & profile sheets accordingly.

Other design revisions include the intersection of Lake Olympia at Hurricane Lane to include an eastbound left turn and a westbound right turn lane. We will revise our traffic control plans to account for the work at the intersection. We will revise all of our dirtwork cross-sections and calculations based on the above revisions. We will revise our typical pavement cross-sections, revise all layout sheets and update any background sheets affected by the proposed changes including plans for Striping & Signage, TCP and SWPPP. We will update detail sheets to reflect new standard Fort Bend County details.

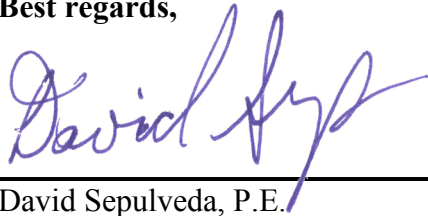
In total, we estimate approximately 40 sheets in the plan set will be affected. Based on the above described scope of changes, **we propose to provide this service for a fixed fee of \$61,400.**

Task X07 – Parcel 10 Survey Revisions

We will revise the proposed 50' ROW dedication on the north side of Lake Olympia as shown in Parcel 10. The revised legal description and exhibit will show an 11' ROW dedication at the northeast corner of the Lake Olympia and Hurricane Lane intersection. This 11' dedication will transition to zero as the right turn decel lane transitions from a full right turn lane back to the original boulevard pavement section east of the intersection. We will stake the property corner in the field prior to final submittal. Based on the above described scope of changes, **we propose to provide this service for a fixed fee of \$2,900.**

The total request for this change order consisting of engineering and surveying design changes is \$64,300. If you have any questions, or require additional information, please contact us at any time.

Best regards,



David Sepulveda, P.E.
Vice President

Accepted and Agreed to:

By: _____

Name: _____

Title: _____

Date: _____