

STATE OF TEXAS           §  
  §  
COUNTY OF FORT BEND   §

**SECOND AMENDMENT TO AGREEMENT FOR  
PROFESSIONAL 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 Othon, 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 10, 2018, (hereinafter "Agreement") pursuant to SOQ 14-025, as amended by document executed on September 3, 2019, (hereinafter "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 Contractor an additional twenty thousand dollars and 00/100 (\$20,000.00) to perform additional engineering services as described in Contractor's proposal dated June 24, 2020 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 four hundred forty-eight thousand one hundred forty-three dollars and 33/100 (\$448,143.33), authorized as follows:
  - \$423,143.33 under the Agreement;
  - \$5,000.00 under the Amendment; and
  - \$20,000.00 under this Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and any subsequently executed amendment exceed the Maximum Compensation without written agreement executed by both parties.
4. 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.

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

OTHON, INC

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

Charles A. Othon

\_\_\_\_\_  
Authorized Agent – Printed Name

President

\_\_\_\_\_  
Title

July 28, 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

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# EXHIBIT A



OTHON, INC.  
11111 Wilcrest Green Drive, Suite 128  
Houston, TX 77042

CONSULTING ENGINEERS  
Civil, Transportation, Environmental,  
Construction Management

713 975 8555 TEL  
713 975 9068 FAX  
www.othon.com WEBSITE

June 24, 2020

Mr. Robert W. Barnett, P.E  
Vice President/Transportation  
LJA Engineering  
2929 Briarpark Drive, Suite 600  
Houston, Texas 77042

**RE: Madden Road  
Fort Bend County Precinct 4  
Project No. 4-16**

Dear Mr. Barnett,

Othon has been requested to submit an amendment for the additional engineering services for Madden Road from north of West Bellfort Avenue to Clodine Road in Fort Bend County Precinct 4. The additional services include the following items:

- Resubmit 95% Plans with the following changes:
  - A. New Proposed Pavement Section
    - Update Roadway Typical Sections
    - Update Roadway Plan Elements
    - Update Roadway Cross Sections
    - Geotech Analysis and Recommendations
  - B. New Proposed Drainage design at FM 1464 and Madden Rd

Amendment fee is:	<b>\$20,000.00</b>
Original Total Basic Services fee is:	<b>\$423,143.33</b>
Previous Amendment Fee:	<b>\$5,000.00</b>
Total Adjusted Contract fee is:	<b><u>\$448,143.33</u></b>

Should you have any questions, feel free to contact me.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Daniel A. Davila", written over a horizontal line.

Daniel A. Davila, P.E.  
Senior Project Manager  
OTHON, Inc. Consulting Engineers