

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**SECOND AMENDMENT TO AGREEMENT FOR
PROFESSIONAL PROPERTY ACQUISITION 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 Property Acquisition 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 Services on July 10, 2018, (hereinafter “Agreement”), as amended by document executed on April 28, 2020, (hereinafter “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 three hundred twenty-six thousand three hundred fifty dollars and 00/100 (\$326,350.00) for additional right of way acquisition services, as described in Contractor’s proposal for additional services dated April 13, 2021, 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 one million two hundred seventy thousand five hundred dollars and 00/100 (\$1,270,500.00), authorized as follows:
 - \$754,550.00 under the Agreement;
 - \$189,600.00 under the Amendment; and
 - \$326,350.00 under this Second Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and this Amendment exceed the Maximum Compensation without written agreement executed by both parties.
4. The parties hereby agree to extend the Time of Performance under the Agreement 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.

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

FORT BEND COUNTY

PROPERTY ACQUISITION SERVICES, LLC

KP George, County Judge

Mark Heider
Authorized Agent – Signature

Date

Mark Heider
Authorized Agent – Printed Name

ATTEST:

President
Title

Laura Richard, County Clerk

5/10/21
Date

APPROVED:

J. Stacy Slawinski, 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

\\Marcus\Agreements\Engineering\ROW - Acq Services\2017 Mobility Projects\Precincts 1 and 4\Amend 2 - Prop Acq Svs.2017 MBPPcts 1&4PAS.v2.docx.5/18/2021.17 Eng.500021-A2

EXHIBIT A



Right-of-Way
and
Acquisition Services
Amendment

for

Fort Bend County

2017 Mobility Bond Projects

Property Acquisition Services, LLC.
19855 Southwest Freeway, Suite 200
Sugar Land, TX 77479
281-343-7171 office
281-343-8181 fax



April 13, 2021

Ms. Sandy Garza
Fort Bend County
301 Jackson St., 4th Floor
Richmond, TX 77469

Re: Proposal to provide Right-of-Way Acquisition Services

Property Acquisition Services, Inc. (PAS) hereby submits this proposal per your request for the purpose of continuing to provide land and right-of-way acquisition services to Fort Bend County under the terms of a Professional Services Agreement. In conjunction with the Fort Bend County 2017 Mobility Bond Projects, we submit the following estimates to complete:

<u>Rohan Road</u> 17114 (Intersection Improvements)	\$52,750.00
<u>John Sharp Road</u> 17407 (John Sharp Dr. Seg. 2)	\$42,750.00
<u>Reading Road</u> 13117x	\$230,850.00
<u>Total Funds Needed to Complete</u>	\$326,350.00

*Some projects may require additional fees for relocation once the routes have been reviewed.



Please find below the hourly rates listed for the 2021 calendar year billing cycle. Depending on the complexity of the project and the staff needed, not all hourly rates may apply for said projects.

Hourly Rates

Principal.....	\$175.00/hr
Sr. Project Manager.....	\$150.00/hr
Right of Way Agent.....	\$115.00/hr
Relocation Agent.....	\$115.00/hr
Data Analyst.....	\$80.00/hr
Title Coordinator/Examiner.....	\$80.00/hr
Clerical.....	\$60.00/hr

Thank you for allowing PAS the opportunity to submit this proposal to assist you with your right of way needs. Please contact us at (281) 343-7171 if we can answer any questions or be of further assistance.

Sincerely,

A handwritten signature in blue ink that reads 'Mark Heidaker'. The signature is written in a cursive style.

Mark Heidaker
President



Rohan Road Project

Acquire 5 parcels

Management \$ 3,500.00
Includes part-time Manager for the duration of the project

Negotiations \$ 9,500.00
Includes right of way agent that is TREC licensed and condemnation support

Temporary Construction Easements \$10,000.00
Includes right of way agent that is TREC licensed and condemnation support

Appraisals \$19,000.00
\$3,800 per parcel, updates for ED parcels will require additional fees

Title \$ 3,250.00
Includes Title Agent, Title Review and Title

Administrative Support \$ 7,500.00
Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

Total \$ 52,750.00



John Sharp Road Project

Acquire 5 parcels

Management

Includes part-time Manager for the duration of the project

\$ 3,500.00

Negotiations

Includes right of way agent that is TREC licensed and condemnation support

\$ 9,500.00

Appraisals

\$3,800 per parcel, updates for ED parcels will require additional fees

\$19,000.00

Title

Includes Title Agent, Title Review and Title

\$ 3,250.00

Administrative Support

Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

\$ 7,500.00

Total

\$ 42,750.00



Reading Road Project

Acquire 27 parcels

Management

\$ 18,900.00

Includes part-time Manager for the duration of the project

Negotiations

\$ 51,300.00

Includes right of way agent that is TREC licensed and condemnation support

Appraisals

\$102,600.00

\$3,800 per parcel, updates for ED parcels will require additional fees

Title

\$ 17,550.00

Includes Title Agent, Title Review and Title

Administrative Support

\$ 40,500.00

Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support

Total

\$230,850.00