

STATE OF TEXAS           §  
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COUNTY OF FORT BEND §

**FIFTH AMENDMENT TO PROJECT MANAGEMENT AGREEMENT FOR  
THE 2017 FORT BEND COUNTY MOBILITY BOND PROGRAM**

**THIS FIFTH 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 **RPS INFRASTRUCTURE, INC.**, (hereinafter "Project Manager"), a company authorized to conduct business in the State of Texas.

WHEREAS, the parties executed and accepted that certain Project Management Agreement for the 2017 Fort Bend County Mobility Bond Program on March 13, 2018, (hereinafter "Agreement"), as amended by documents executed on November 5, 2019, (hereinafter "Amendment"), May 27, 2020, (hereinafter "Second Amendment"), October 6, 2020, (hereinafter "Third Amendment"), and February 2, 2021, (hereinafter "Fourth 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 Project Manager an additional three hundred ninety-nine thousand nine hundred ninety-five dollars and no/100 (\$399,995.00), for the Services as described in Project Manager's Proposal for Supplemental Services dated April 20, 2021, attached hereto as Exhibit "A" and incorporated herein for all purposes.
2. The Maximum Compensation payable to Project Manager for Services to be rendered is hereby increased to an amount not to exceed two million four hundred ninety-one thousand four hundred ninety-five dollars and no/100 (\$2,491,495.00), authorized as follows:
  - \$1,000,000.00 under the Agreement
  - \$187,000.00 under the Amendment;
  - \$310,000.00 under the Second Amendment;
  - \$300,750.00; under the Third Amendment;
  - \$293,750.00 under the Fourth Amendment; and
  - \$399,995.00 under this Fifth Amendment.
3. In no case shall the amount paid by County for all Services under the Agreement and any amendment thereof exceed the Maximum Compensation without written agreement executed by both parties.

4. The parties hereby agree to extend the Term of the Agreement to terminate on December 31, 2025, unless terminated or extended upon further mutual agreement of the parties.
5. BY ACCEPTANCE OF AGREEMENT, PROJECT MANAGER 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 any subsequently executed amendment shall remain unchanged.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the County and the Project Manager have caused their respective duly authorized representatives to execute, seal and deliver this Fifth Amendment, all as of the date signed by the last party hereto.

FORT BEND COUNTY

RPS INFRASTRUCTURE, INC

\_\_\_\_\_  
KP George, County Judge

DocuSigned by:

*David Balmos*

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

\_\_\_\_\_  
Date

David Balmos, P.E.

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

5/26/2021

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Title

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

APPROVED:

*J. Stacy Slawinski*  
\_\_\_\_\_  
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

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# EXHIBIT A



**Our ref: 007677**

575 N. Dairy Ashford  
Suite 700  
Houston, Texas 77079  
T +1 281 589 7257

Date: April 20, 2021

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

Attention: Ike Akinwande, PE

**Re: Proposal for Amendment #5 Supplemental Services on the  
2017 Mobility Bond Program (PO #163936)**

Dear Mr. Akinwande,

We appreciate the opportunity to work with the County as a Project Manager on the 2017 Mobility Bond Program. We have worked hard to provide exceptional service and to be responsive to your needs. We have expended the fees allocated to us previously and request that additional fee be added to our contract.

We propose adding **\$399,995.00** to our contract on a time and materials basis. We anticipate the following breakdown of additional project management effort:

- **000200 Utility Coord. & Relocation/ Encroachment Agreements (All Projects) \$175,000**
  - Project Manager 600 hrs. x \$200 = \$120,000
  - Senior Project Engineer 183.33 hrs. x \$180 = \$33,000
  - Associate Engineer 176 hrs. x \$125 = \$22,000
- **17201 Lake Olympia Segment 2 \$50,000**
  - Department Manager 25 hrs. x \$280 = \$7,000
  - Project Manager 125 hrs. x \$200 = \$25,000
  - Senior Project Engineer 75 hrs. x \$180 = \$13,500
  - Associate Engineer 36 hrs. x \$125 = \$4,500
- **17202 Chimney Rock \$15,000**
  - Department Manager 7.5 hrs. x \$280 = \$2,100
  - Project Manager 37.5 hrs. x \$200 = \$7,500
  - Senior Project Engineer 22.5 hrs. x \$180 = \$4,050
  - Associate Engineer 10.8 hrs. x \$125 = \$1,350
- **17206 Sidewalk Safety Program \$15,000**
  - Department Manager 7.5 hrs. x \$280 = \$2,100
  - Project Manager 37.5 hrs. x \$200 = \$7,500
  - Senior Project Engineer 22.5 hrs. x \$180 = \$4,050
  - Associate Engineer 10.8 hrs. x \$125 = \$1,350

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•	<b>17207 Burney-Old Richmond</b>		<b>\$50,000</b>
-	Department Manager	25 hrs. x \$280 = \$7,000	
-	Project Manager	125 hrs. x \$200 = \$25,000	
-	Senior Project Engineer	75 hrs. x \$180 = \$13,500	
-	Associate Engineer	36 hrs. x \$125 = \$4,500	
•	<b>17208 Old Richmond Road</b>		<b>\$15,000</b>
-	Department Manager	7.5 hrs. x \$280 = \$2,100	
-	Project Manager	37.5 hrs. x \$200 = \$7,500	
-	Senior Project Engineer	22.5 hrs. x \$180 = \$4,050	
-	Associate Engineer	10.8 hrs. x \$125 = \$1,350	
•	<b>17211 Belknap Road</b>		<b>\$29,995</b>
-	Department Manager	15 hrs. x \$280 = \$4,200	
-	Project Manager	74.97 hrs. x \$200 = \$14,995	
-	Senior Project Engineer	45 hrs. x \$180 = \$8,100	
-	Associate Engineer	21.6 hrs. x \$125 = \$2,700	
•	<b>17218x Moore</b>		<b>\$50,000</b>
-	Department Manager	25 hrs. x \$280 = \$7,000	
-	Project Manager	125 hrs. x \$200 = \$25,000	
-	Senior Project Engineer	75 hrs. x \$180 = \$13,500	
-	Associate Engineer	36 hrs. x \$125 = \$4,500	

RPS appreciates the opportunity to prepare this proposal for Fort Bend County Engineering and trusts that it meets with your approval. If you have any questions concerning this proposal, please feel free to contact me directly. RPS looks forward to successful projects.

Yours sincerely,  
for RPS Infrastructure, Inc.



Gabriel Odreman, PE  
Project Manager – Transport  
Gabriel.Odreman@rpsgroup.com