

**SUPPLEMENTAL AGREEMENT NO. 3  
TO  
ENGINEERING SERVICES AGREEMENT OF  
MAY 12, 2021  
FOR  
FORT BEND GRAND PARKWAY TOLL ROAD AUTHORITY**

This Supplemental Agreement is signed in multiple counterparts to be effective on the date approved by the Fort Bend County Commissioners Court, and modifies the ENGINEERING SERVICES AGREEMENT dated February 25, 2020 (the “Agreement”) between the Fort Bend Grand Parkway Toll Road Authority, a Texas Local Government Corporation (the “Authority”), and Aguirre & Fields, LP, (the “Engineer”).

The Agreement is hereby modified as follows:

1. The first sentence in Section 1 is replaced with the following sentence:

“The Engineer shall render professional services to FBGPTRA related to the Project as defined in the Scope of Services in Attachments A, A-1, A-2 and A-3.”

2. Section 2.a is replaced with the following paragraphs:

“The Maximum Compensation under this Agreement is \$657,402.99. The amount paid under this Agreement may not exceed the Maximum Compensation without an approved supplemental agreement.

Compensation for the performance of services within the Scope of Services described in Attachment A will be paid as a lump sum amount not to exceed \$115,047.98, as shown in Attachment B.

Compensation for the performance of services within the Scope of Services described in Attachment A-1 will be paid as a lump sum amount not to exceed \$13,758.74, as shown in Attachment B-1.

Compensation for the performance of services within the Scope of Services described in Attachment A-2 will be paid as a lump sum amount not to exceed \$488,865.37, as shown in Attachment B-2.

Compensation for the performance of services within the Scope of Services described in Attachment A-3 will be paid as a lump sum amount not to exceed \$39,730.90, as shown in Attachment B-3.

The Engineer shall furnish satisfactory documentation of such work (e.g. timesheets, billing rates, classifications, invoices, etc.) as may be required by FBGPTRA.”

This Supplemental Agreement does not alter, modify, or otherwise change any part of the Agreement, except as specifically stated in this Supplemental Agreement.

Supplemental Agreement No. 3  
To Agreement of February 25, 2020

IN WITNESS WHEREOF, this Supplemental Agreement is hereby executed as of September 15, 2021

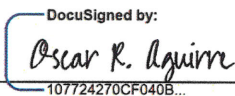
FORT BEND GRAND PARKWAY TOLL ROAD  
AUTHORITY, a Texas local government corporation

By: 

Name: Shoukat Shanani

Title: Chairman

Aguirre & Fields, LP, Aguirre, LLC - General Partner  
ENGINEER

By:   
107724270CF040B...

Name: Oscar R. Aguirre, P.E.

Title: President

**EFFECTIVE DATE**

THIS AGREEMENT IS EFFECTIVE ON THE DATE IT IS APPROVED BY THE FORT BEND  
COUNTY COMMISSIONERS COURT, AND IF NOT SO APPROVED SHALL BE NULL AND VOID.

DATE OF COMMISSIONERS COURT APPROVAL: \_\_\_\_\_

AGENDA ITEM NO.: \_\_\_\_\_

**ATTACHMENT A  
EXHIBIT A-3  
SUPPLEMENTAL AGREEMENT #3 SCOPE OF SERVICES**

**FORT BEND GRAND PARKWAY TOLL ROAD (SH 99) / WESTPARK TOLLWAY (FM 1093)  
EASTBOUND/NORTHBOUND & WESTBOUND/NORTHBOUND DIRECT CONNECTORS**

**DESIGN SERVICES**

**GENERAL DESCRIPTION**

Work to be performed by the Engineer under this Supplemental Agreement consists of PS&E for an approximate 870' long soil nail wall along the Fry Road entrance ramp north of Fry Road. The wall will be located along the edge of the proposed Fry Road entrance ramp (shoulder wall). The design will be based on the retaining wall layout and geotechnical borings included under SA#2.

The following is a detailed list of tasks which will be performed by the Engineer in addition to and in accordance with the scope of services in the Prime Agreement.

**1) GEOTECHNICAL STUDY**

- a) Develop design parameters to be used for soil nail wall design.
- b) Develop recommendations for nail installation, observation, testing, & drainage

**2) RETAINING WALLS**

- a) Develop calculations for a soil nail wall design, including global stability.
- b) Develop structural details for soil nail wall design. Due to approximately 5-ft of fill located above soil nail wall due to the roadway widening, it is anticipated that Temp Earth Wall (TEW) will be placed first and soil nails drilled through the TEW wall using top-down construction.

**3) SCHEDULE**

The following schedule is anticipated:

- a) 60% PS&E, Draft Drainage Report & Draft Geotech Supplemental Report – September 24, 2021
  - *60% soil nail plans will include: Wall Layout, Wall Typical Sections & Estimated Wall Quantities. Soil nail details and nail layout are not anticipated to be complete.*
- b) 90% PS&E, Final Drainage Report & Geotech Supplemental Report – December 1, 2021
- c) Final PS&E – January 28, 2022

**ATTACHMENT B3  
SUPPLEMENTAL AGREEMENT #3 FEE ESTIMATE**

**FORT BEND GRAND PARKWAY TOLL ROAD (SH 99) / WESTPARK TOLLWAY (FM 1093)  
EASTBOUND/NORTHBOUND & WESTBOUND/NORTHBOUND DIRECT CONNECTORS**

**CONTRACT SUMMARY**

**PRIME:** Aguirre & Fields  
**SUB:** TNP  
**SUB:** Progressive Traffic & Transportation  
**SUB:** Geotech Engineering and Testing  
**SUB:** Weissner Engineering & Surveying

WORK TASK	DESCRIPTION	Original Contract	SA#1	SA#2	SA#3	TOTAL
1	SURVEY	\$ 17,430.00	\$ 2,230.00	\$ 16,450.00		\$ 36,110.00
2	UTILITY COORDINATION	\$ 2,485.35		\$ 2,714.25		\$ 5,199.60
3	GEOTECHNICAL STUDY	\$ -		\$ 65,992.00	\$ 5,125.00	\$ 71,117.00
4	ROADWAY	\$ 6,560.40	\$ 2,276.14	\$ 32,607.75		\$ 41,444.29
5	TRAFFIC	\$ 5,884.00	\$ -	\$ 30,632.00		\$ 36,516.00
6	DRAINAGE	\$ 16,305.00	\$ -	\$ 115,070.00		\$ 131,375.00
7	CONSTRUCTION SEQUENCING AND TRAFFIC CONTROL	\$ 5,814.90	\$ 858.11	\$ 18,354.26		\$ 25,027.27
8	RETAINING WALLS	\$ 4,090.80	\$ -	\$ 34,092.45	\$ 34,605.90	\$ 72,789.15
9	BRIDGES	\$ 19,500.60	\$ 7,723.01	\$ 78,653.40		\$ 105,877.01
10	GENERAL NOTES AND SPECIFICATIONS	\$ 2,312.10	\$ -	\$ 1,127.04		\$ 3,439.14
11	STANDARD DRAWINGS	\$ 12,942.96	\$ -	\$ 1,092.40		\$ 14,035.36
12	QUANTITY TAKE-OFFS AND QUANTITY SUMMARIES	\$ 5,196.89	\$ 671.48	\$ 17,776.60		\$ 23,644.97
13	CONSTRUCTION COST ESTIMATE	\$ 2,768.58		\$ 2,018.36		\$ 4,786.94
14	MISCELLANEOUS DRAWINGS	\$ 2,297.40		\$ 7,123.73		\$ 9,421.13
15	PREPARATION AND SUBMITTAL OF PS&E	\$ 2,751.50		\$ 14,545.13		\$ 17,296.63
16	PROJECT MANAGEMENT	\$ 7,707.50		\$ 50,616.00		\$ 58,323.50
17	DIRECT EXPENSES	\$ 1,000.00		\$ -		\$ 1,000.00
<b>TOTAL</b>		<b>\$ 115,047.98</b>	<b>\$ 13,758.74</b>	<b>\$ 488,865.37</b>	<b>\$ 39,730.90</b>	<b>\$ 657,402.99</b>

ATTACHMENT B3  
SUPPLEMENTAL AGREEMENT #3 FEE ESTIMATE  
  
FORT BEND GRAND PARKWAY TOLL ROAD (SH 99) / WESTPARK TOLLWAY (FM 1093)  
EASTBOUND/NORTHBOUND & WESTBOUND/NORTHBOUND DIRECT CONNECTORS

SUMMARY

PRIME: Aguirre & Fields  
SUB: Geotech Engineering and Testing

WORK TASK	DESCRIPTION	Aguirre & Fields	Geotech Engineering and Testing	TOTAL
3	GEOTECHNICAL		\$5,125.00	\$5,125.00
8	RETAINING WALLS	\$34,605.90		\$34,605.90
TOTAL		\$ 34,605.90	\$ 5,125.00	\$ 39,730.90

**ATTACHMENT B3**  
**SUPPLEMENTAL AGREEMENT #3 FEE ESTIMATE**

**FORT BEND GRAND PARKWAY TOLL ROAD (SH 99) / WESTPARK TOLLWAY (FM 1093)  
EASTBOUND/NORTHBOUND & WESTBOUND/NORTHBOUND DIRECT CONNECTORS**

**Aguirre & Fields**

TASK DESCRIPTION	NUMBER OF SHEETS	Senior Structural Engineer	Project Manager	Project Engineer	Design Engineer	EIT	Engineering Technician	Admin Clerical	TOTAL LABOR HRS & COSTS	Hrs/Sht
LABOR RATE PER HOUR		\$220.50	\$204.75	\$149.10	\$121.80	\$98.44	\$88.20	\$78.75		
<b>RETAINING WALLS</b>										
WALL ON NORTH SIDE OF FRY RD (STA 714+80-723+50) (870-FT)										
RETAINING WALL LAYOUT (ALREADY INCLUDED IN SA#2)	1	0		0		0	0		0	0
RETAINING WALL TYPICAL SECTION (TEW OVER SOIL NAIL)	1	4		4		8	12		28	28
SOIL NAIL LAYOUTS (H:1"=10' AND V:1"=10') (DOUBLE-BANKED)	4	12		28		36	36		112	28
SOIL NAIL WALL MISCELLANEOUS DETAILS	3	12		24		28	32		96	32
SOIL NAIL WALL CALCULATIONS		8		28					36	
SHEETS & HOURS SUBTOTAL	9	36	0	84	0	72	80	0	272	
SUBTOTAL LABOR COSTS		\$7,938.00	\$0.00	\$12,524.40	\$0.00	\$7,087.50	\$7,056.00	\$0.00	\$34,605.90	

**ATTACHMENT B3  
SUPPLEMENTAL AGREEMENT #3 FEE ESTIMATE**

**FORT BEND GRAND PARKWAY TOLL ROAD (SH 99) / WESTPARK TOLLWAY (FM 1093)  
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TOTAL LABOR HOURS		36	0	84	0	72	80	0	272	
TOTAL LABOR COSTS	9	\$7,938.00	\$0.00	\$12,524.40	\$0.00	\$7,087.50	\$7,056.00	\$0.00	\$34,605.90	
DIRECT EXPENSES									\$0.00	
TOTAL COSTS									\$34,605.90	

**ATTACHMENT B3**  
**SUPPLEMENTAL AGREEMENT #3 FEE ESTIMATE**

**FORT BEND GRAND PARKWAY TOLL ROAD (SH 99) / WESTPARK TOLLWAY (FM 1093)  
EASTBOUND/NORTHBOUND & WESTBOUND/NORTHBOUND DIRECT CONNECTORS**

**Geotech Engineering and Testing**

TASK DESCRIPTION	Principal Engineer	Senior Engineer	Graduate Engineer	Field Technician	Typing/ Drafting	Unit of Measure	Estimated Qty	Rate	TOTAL LABOR HRS & COSTS
LABOR RATE PER HOUR	\$250.00	\$165.00	\$115.00	\$55.00	\$70.00				
<b>GEOTECHNICAL STUDY</b>									
Soil Nail Wall (North of Fry)									
Develop Soil Nail Wall Design Parameters	2	16							18
Develop Recommendations for Nail Installation, Observation, Testing and Drainage	2	9							11
<b>Total for Unit Costs</b>									
SHEETS & HOURS SUBTOTAL	4	25	0	0	0				29
<b>SUBTOTAL LABOR COSTS</b>	\$1,000.00	\$4,125.00	\$0.00	\$0.00	\$0.00				\$5,125.00
<b>DIRECT EXPENSES</b>									\$0.00
<b>TOTAL COSTS</b>									\$5,125.00



**CERTIFICATE OF INTERESTED PARTIES****FORM 1295**

1 of 2

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.

**OFFICE USE ONLY  
CERTIFICATION OF FILING**

**Certificate Number:**  
 2021-799337

**Date Filed:**  
 09/07/2021

**Date Acknowledged:**

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

Aguirre & Fields, LP  
 Sugar Land, TX United States

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

Fort Bend Grand Parkway Toll Road Authority

**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.**

May 12, 2021 Supplemental #3  
 SH 99 Toll Road / Westpark Tollway (FM 1093) Project

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Aguirre, Oscar R.	Sugar Land, TX United States	X	
	Aguirre, LLC - General Partner	Sugar Land, TX United States	X	
	Ahmed, Nazeer M.	Sugar Land, TX United States	X	
	Carle, Rick A.	Sugar Land, TX United States	X	
	Crosby, Christine R.	Sugar Land, TX United States	X	
	Gribble, Mark D.	Sugar Land, TX United States	X	
	Hazzard, Elizabeth A.	Oklahoma City, OK United States	X	
	Lee, Roger O.	Sugar Land, TX United States	X	
	Lee, Eugene J.	Fort Worth, TX United States	X	
	Hahn, Paul R.	Austin, TX United States	X	
	Lubitz, David J.	Austin, TX United States	X	
	Williams, Ryan J.	Austin, TX United States	X	

**CERTIFICATE OF INTERESTED PARTIES****FORM 1295**

2 of 2

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.

**OFFICE USE ONLY  
CERTIFICATION OF FILING**

Certificate Number:  
2021-799337

Date Filed:  
09/07/2021

Date Acknowledged:

9/16/2021

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

Aguirre & Fields, LP  
 Sugar Land, TX United States

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May 12, 2021 Supplemental #3  
 SH 99 Toll Road / Westpark Tollway (FM 1093) Project

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 UNSWORN DECLARATION**

My name is Oscar R. Aguirre, P.E., and my date of birth is 07-07-1964.

My address is 7215 New Territory Blvd., Suite 100, Sugar Land, TX, 77479, USA.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Fort Bend County, State of Texas, on the 7th day of September, 2021.  
(month) (year)

DocuSigned by:

Oscar R. Aguirre

Signature of authorized agent of contracting business entity  
 (Declarant)