

STATE OF TEXAS                   §  
   §  
COUNTY OF FORT BEND       §

**THIRD AMENDMENT TO AGREEMENT FOR  
PROFESSIONAL PROPERTY ACQUISITION 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 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 documents executed on April 28, 2020, (hereinafter “Amendment”), and May 25, 2021, (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 four hundred seventy-eight thousand one hundred fifty dollars and 00/100 (\$478,150.00) for additional countywide right of way acquisition services, as described in Contractor’s proposal for additional services dated February 21, 2022, 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 seven hundred forty-eight thousand six hundred fifty dollars and 00/100 (\$1,748,650.00), authorized as follows:
  - \$754,550.00 under the Agreement;
  - \$189,600.00 under the Amendment;
  - \$326,350.00 under the Second Amendment; and
  - \$478,150.00 under this Third 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, 2024.

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 and any subsequently executed amendment shall remain unchanged.

FORT BEND COUNTY

PROPERTY ACQUISITION SERVICES, LLC

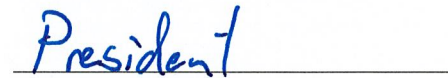
\_\_\_\_\_  
KP George, County Judge

  
Authorized Agent – Signature

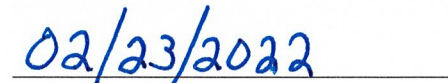
\_\_\_\_\_  
Date

  
Authorized Agent – Printed Name

ATTEST:

  
Title

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

  
Date

APPROVED:

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

#### 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



Right-of-Way  
and  
Acquisition Services  
Proposal

for

Fort Bend County

FM 521, Sycamore Road, John Sharp  
Road and Harlem Road Projects

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





February 21, 2022

Mr. Guy Matula  
Fort Bend County  
301 Jackson St., 4<sup>th</sup> Floor  
Richmond, TX 77469

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

Property Acquisition Services, LLC. (PAS) hereby submits this proposal per your request for the purpose of providing land and right-of-way acquisition services to Fort Bend County under the terms of a Professional Services Agreement. In conjunction with the FM 521, Sycamore Road, John Sharp Road and Harlem Road Projects, we submit the following pricing:

**FM 521 Project (Mobility Projects 17111/17113)**

Acquire 27 parcels

|  |              |
|--|--------------|
| <u>Management</u>  | \$ 18,900.00 |
| Includes part-time Manager for the duration of the project |              |

|  |              |
|--|--------------|
| <u>Negotiations</u>  | \$ 51,300.00 |
| Includes right of way agent that is TREC licensed and condemnation support |              |

|   |              |
|---|--------------|
| <u>Appraisals</u>   | \$102,600.00 |
| \$3,800 per parcel, updates for ED parcels will require additional fees |              |

|   |              |
|---|--------------|
| <u>Appraisal Review Services</u>  | \$ 47,250.00 |
| \$1,750 per parcel, updates for ED parcels will require additional fees |              |

|  |              |
|--|--------------|
| <u>TxDOT Reimbursement Agreements</u>        | \$ 13,500.00 |
| Includes Title Agent, Title Review and Title |              |

|  |              |
|--|--------------|
| <u>Title</u>                                 | \$ 17,550.00 |
| Includes Title Agent, Title Review and Title |              |

|   |              |
|---|--------------|
| <u>Administrative Support</u>   | \$ 40,500.00 |
| Includes Document Specialist for preparation of legal documents, database support for tracking status reports and general project support |              |

|                 |                     |
|-----------------|---------------------|
| <b>Subtotal</b> | <b>\$291,600.00</b> |
|-----------------|---------------------|



**Harlem Road Project (Mobility Project 17402)**

Acquire 4 parcels

**Management**

\$ 2,800.00

Includes part-time Manager for the duration of the project

**Negotiations**

\$ 7,600.00

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

**Appraisals**

\$ 15,200.00

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

**Appraisal Review Services**

\$ 7,000.00

\$1,750 per parcel, updates for ED parcels will require additional fees

**Title**

\$ 2,600.00

Includes Title Agent, Title Review and Title

**Administrative Support**

\$ 6,000.00

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

**Subtotal**

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\$ 41,200.00



**John Sharp Road Project (Mobility Project 17421x (20421))**

Acquire 3 parcels

**Management**

\$ 2,100.00

Includes part-time Manager for the duration of the project

**Negotiations**

\$ 5,700.00

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

**Appraisals**

\$ 11,400.00

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

**Title**

\$ 1,950.00

Includes Title Agent, Title Review and Title

**Administrative Support**

\$ 4,500.00

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

**Subtotal**

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\$ 25,650.00



**Sycamore Road Project (Mobility Project Nos. 17121x/17122x, 17123x)**

Acquire 14 parcels

**Management**

\$ 9,800.00

Includes part-time Manager for the duration of the project

**Negotiations**

\$ 26,600.00

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

**Appraisals**

\$ 53,200.00

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

**Title**

\$ 9,100.00

Includes Title Agent, Title Review and Title

**Administrative Support**

\$ 21,000.00

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

**Subtotal**

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\$ 119,700.00

**Grand Total**

\$ 478,150.00





### 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, flowing style.

Mark Heidaker  
President