

STATE OF TEXAS                    §  
  §  
COUNTY OF FORT BEND        §

**FOURTH AMENDMENT TO AGREEMENT FOR  
PROFESSIONAL ENGINEERING SERVICES**

**THIS FOURTH 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 BGE, 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 June 4, 2019 pursuant to SOQ 14-025, (hereinafter “Agreement”), as amended by documents executed on July 28, 2020, February 1, 2022, and August 9, 2022 (hereinafter “Amendments”); and

WHEREAS, the parties desire to further amend the Agreement to allow Contractor to provide additional Services under the Agreement.

**NOW, THEREFORE**, the parties do mutually agree as follows:

1. County shall pay Contractor an additional amount not to exceed Sixty-Five Thousand, Five Hundred Thirty-Six dollars and 00/100 (\$65,536.00) to perform the additional Services, as described in Contractor’s proposal dated January 16, 2024 attached hereto as Exhibit “A” and incorporated herein for all purposes.
2. The Maximum Compensation payable to Contractor for all Services rendered is hereby increased to an amount not to exceed Four Hundred Six Thousand, Nine Hundred Seventy-Two dollars and 43/100 (\$406,972.43), authorized as follows:
  - \$236,957.85 under the Agreement;
  - \$42,349.18 under the Amendment; and
  - \$26,980.60 under the Second Amendment; and
  - \$35,148.80 under the Third Amendment; and
  - \$65,536.00 under this Fourth 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 further agreement executed by the parties.

4. The time for performance under the Agreement shall be extended through December 31, 2026.
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.

(Execution Page Follows)

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the parties hereto have signed or have caused their respective names to be signed to multiple counterparts to be effective on the date signed by the final party.

FORT BEND COUNTY

BGE, INC

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jason Ellison  
Authorized Agent – Printed Name

ATTEST:

\_\_\_\_\_  
Roadway Group Manager  
Title

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

\_\_\_\_\_  
3/19/2024  
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

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# EXHIBIT A



Date: January 16, 2024

Robert T. McBride, P.E.  
C/O Fort Bend County Engineering  
LJA Engineering, Inc.  
2929 Briarpark Drive Suite 600  
Houston, TX

Reference: FBC 17404 & 17413 - Intersection Improvements (Voss Rd at Old Richmond Rd.  
and Voss Rd. at SH 6)  
Fort Bend County 2017 Mobility Bond Program

Subject: Contract Amendment to PO 178703  
Supplemental Agreement No. 4 for Construction Phase Services

Dear Mr. McBride,

Enclosed are BGE, Inc's proposed budget and manpower breakdown for additional Construction Phase Services for the above referenced project which will include:

- Prepare plan revisions and quantities for change orders
- Additional hours for review of RFIs and shop drawings

BGE, Inc.'s proposed budget for the referenced project includes:

Phase 3 – Bidding & Construction Phase Services (Time & Materials Payment Basis)	\$65,536.00
<b>Total Proposed Fee</b>	<b>\$65,536.00</b>

A detailed level of effort is attached. Please contact me if you have any questions or require additional information.

Sincerely,

Jason Ellison, P.E.  
Roadway Group Manager

Fort Bend County 2017 Mobility Bond Program  
Intersection Improvements (Voss Rd & Old Richmond Rd.,  
and Voss Rd. at SH 6)  
Project No. 4-04, 4-13  
SUMMARY OF SCOPE - Engineering

PRIME PROVIDER: BGE, Inc.

TASK DESCRIPTION	PROJECT MANAGER	SENIOR ENGINEER	PROJECT ENGINEER	DESIGN ENGINEER	ENGINEER IN TRAINING	SENIOR CADD OPERATOR	CADD OPERATOR	ADMIN/CLERICAL	TOTAL HRS. & COSTS	COST PER TASK	NO OF SHTS	HRS PER SHT
<b>CONTRACT RATE PER HOUR</b>	<b>\$ 192.00</b>	<b>\$ 160.00</b>	<b>\$ 144.00</b>	<b>\$ 128.00</b>	<b>\$ 108.80</b>	<b>\$ 102.40</b>	<b>\$ 80.00</b>	<b>\$ 73.60</b>				
<b>BID AND CONSTRUCTION PHASE SERVICES (TIME AND MATERIALS PAYMENT BASIS)</b>												
Construction Phase												
Construction Phase Services												
Prepare Change Order Drawings and Quantities	36	32	40	60	70	70			308	\$ 40,256.00		
Review Contractor Submittals & RFIs	40		60	70					170	\$ 25,280.00		
										\$ -		
HOURS SUB-TOTALS	76	32	100	130	70	70	0	0	478			
SUBTOTAL	\$14,592.00	\$5,120.00	\$14,400.00	\$16,640.00	\$7,616.00	\$7,168.00	\$0.00	\$0.00	\$65,536.00	\$65,536.00		
SUBTOTAL CONSTRUCTION PHASE SERVICES	76	32	100	130	70	70	0	0	478			
	\$14,592.00	\$5,120.00	\$14,400.00	\$16,640.00	\$7,616.00	\$7,168.00	\$0.00	\$0.00	\$65,536.00	\$65,536.00		
<b>TOTAL HOURS</b>	<b>76</b>	<b>32</b>	<b>100</b>	<b>130</b>	<b>70</b>	<b>70</b>	<b>0</b>	<b>0</b>	<b>478</b>			
<b>CONTRACT RATE PER HOUR</b>	<b>\$ 192.00</b>	<b>\$ 160.00</b>	<b>\$ 144.00</b>	<b>\$ 128.00</b>	<b>\$ 108.80</b>	<b>\$ 102.40</b>	<b>\$ 80.00</b>	<b>\$ 73.60</b>				
<b>SUBTOTAL LABOR EXPENSES</b>	<b>\$ 14,592.00</b>	<b>\$ 5,120.00</b>	<b>\$ 14,400.00</b>	<b>\$ 16,640.00</b>	<b>\$ 7,616.00</b>	<b>\$ 7,168.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$65,536.00</b>			
<b>TOTAL</b>									<b>\$65,536.00</b>			

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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:  
2024-1134614

Date Filed:  
03/14/2024

Date Acknowledged:

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

**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.**  
Contract #18-Eng-500030-A4  
Fourth Amendment to Agreement for Professional Engineering Services 2017 Mobility Bond Program â Project Nos. 17404 and 17413\_Voss Rd.@ Old Richmond Rd & Voss Rd @ SH6.

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Garrison , Mike	Dallas, TX United States	X	
	Rodney , Heisch	Houston, TX United States	X	
	Jasek, Wes	Austin, TX United States	X	
	Lennard, Lee	Houston, TX United States	X	
	Randermann, Randy	Houston, TX United States	X	

**5 Check only if there is NO Interested Party.**

**6 UNSWORN DECLARATION**

My name is Jason Ellison, PE, and my date of birth is 3/19/1977.

My address is 10777 Westheimer Ste. 500, Houston, TX, 77042, USA.  
(street) (city) (state) (zip code) (country)

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

Executed in Harris County, State of Texas, on the 14 day of March, 2024.  
(month) (year)



Signature of authorized agent of contracting business entity  
(Declarant)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).


PRODUCER <b>USI Southwest</b> 9811 Katy Freeway, Suite 500 Houston, TX 77024 713 490-4600	CONTACT NAME: <b>Stephanie Anguiano</b>
	PHONE (A/C, No, Ext): <b>713 490-4600</b> FAX (A/C, No): <b>713-490-4700</b> E-MAIL ADDRESS: <b>stephanie.anguiano@usi.com</b>
INSURED  <b>BGE, Inc.</b> <b>f.k.a. Brown &amp; Gay Engineers, Inc</b> <b>10777 Westheimer, Suite 400</b> <b>Houston, TX 77042</b>	INSURER(S) AFFORDING COVERAGE      NAIC #
	INSURER A : <b>Continental Insurance Company</b> <b>35289</b>
	INSURER B : <b>Valley Forge Insurance Company</b> <b>20508</b>
	INSURER C : <b>Lexington Insurance Company</b> <b>19437</b>
	INSURER D :
	INSURER E :
INSURER F :	

COVERAGES      CERTIFICATE NUMBER:      REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			6075541416	12/31/2023	12/31/2024	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>1,000,000</b> MED EXP (Any one person) \$ <b>5,000</b> PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>2,000,000</b> PRODUCTS - COMP/OP AGG \$ <b>2,000,000</b> \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			6075541433	12/31/2023	12/31/2024	COMBINED SINGLE LIMIT (Ea accident) \$ <b>1,000,000</b> BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ <b>10000</b>			6075541464	12/31/2023	12/31/2024	EACH OCCURRENCE \$ <b>16,000,000</b> AGGREGATE \$ <b>16,000,000</b> \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	6075541447	12/31/2023	12/31/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ <b>1,000,000</b> E.L. DISEASE - EA EMPLOYEE \$ <b>1,000,000</b> E.L. DISEASE - POLICY LIMIT \$ <b>1,000,000</b>
C	Professional Liability CLAIMS MADE			031565521	12/31/2023	12/31/2024	\$ <b>5,000,000 per claim</b> \$ <b>10,000,000 annl aggr.</b>

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
**Blanket Additional Insured on all policies (except Professional Liability and Workers Compensation), is provided to the Certificate Holder, when required by written contract or written agreement between the Named Insured and the Certificate Holder, but limited to the operations of the Named Insured per policy forms CNA75079XX 10/16, including completed operations (GL); CA2048 10/13 (Auto).**  
**Coverage provided on the General and Auto Liability is primary and non-contributory if required by written (See Attached Descriptions)**

CERTIFICATE HOLDER  <b>Fort Bend County</b> <b>Attn: County Engineer</b> <b>(Fort Bend County Engineering Department)</b> <b>301 Jackson Street</b> <b>Richmond, TX 77469</b>	CANCELLATION  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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## DESCRIPTIONS (Continued from Page 1)

contract executed prior to a loss.

Blanket Waiver of Subrogation is provided on all policies as required by written contract executed prior to a loss, except as prohibited by law, per policy form CNA74858XX 1/15 (GL); CA0444 10/13 (Auto); WC420304B 06/14 (WC); CNA75504XX 03/15 (UL); LX4204 07/13(PL).

The Umbrella Follows Form (CNA88301XX 08/17) to the underlying General, Auto and Employers Liability policies.

All policies include an endorsement providing that 30 days notice of cancellation, except 10 days notice for non-payment of premium, will endeavor to be given to the Certificate Holder by the Insurance Carrier, if required by written contract.

RE: FBC 17404 & 17412 Int Improvements (Voss Rd at Old Richmond Rd. and Voss Rd. @ SH6) SA 4.