

STATE OF TEXAS

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COUNTY OF FORT BEND

**THIRD AMENDMENT TO AGREEMENT FOR INFRASTRUCTURE INVESTMENT
AND JOBS ACT CONSULTING SUPPORT**

(Tetra Tech, Inc. – RFP 19-041)

This Third Amendment to Agreement for Infrastructure Investment and Jobs Act Consulting Support (“Third Amendment”) is made and entered into by and between FORT BEND COUNTY, TEXAS (“County”), a political subdivision of the state of Texas, and TETRA TECH, INC. (“Consultant”), a corporation duly authorized to conduct business in the state of Texas. County and Consultant may be referred to individually as a “Party” or collectively as the “Parties.”

WHEREAS, Consultant is a corporation which provides consulting and engineering services for governmental entities including infrastructure design and development; and

WHEREAS, on or about March 8, 2022 County and Consultant entered into that certain agreement for Infrastructure Investment and Jobs Act (“IIJA”) consulting support pursuant to RFP 19-041 (the “Agreement”); and

WHEREAS, the Agreement was subsequently amended by document executed on or about November 8, 2022 (the “First Amendment”) and again on or about February 27, 2024 (the “Second Amendment”); and

WHEREAS, by execution of this Third Amendment, the Parties desire to further amend the Agreement to update the scope of work to include non-IIJA grant program support with an effective date of December 1, 2023, this scope does not change the current Maximum Compensation or term of the Agreement and to otherwise ratify and confirm all the terms and conditions as set forth herein.

NOW, THEREFORE, in consideration of the foregoing, the Parties do mutually agree that the Agreement between the Parties is hereby amended as follows:

1. **Recitals.** The recitals set forth above are incorporated herein by reference and made a part of this Agreement.
2. **Scope of Services.** County shall render consulting support services to County as provided in Exhibit A-3 attached hereto and incorporated by reference for all intents and purposes (the “Services”).
3. **Modifications and Conflict.** Except as modified herein, the Agreement shall remain in full force and effect and has not been otherwise modified or amended. If there is a conflict among documents that make up the Agreement, this Second Amendment shall prevail with regard to the conflict.

IN WITNESS WHEREOF, this Agreement is signed, accepted, and agreed to by all Parties by and through the Parties or their agents or authorized representatives. All Parties hereby acknowledge that they have read and understood this Third Amendment and the exhibits hereto. All Parties further acknowledge that they have executed this legal document voluntarily and of their own free will.

FORT BEND COUNTY, TEXAS

TETRA TECH, INC.

KP George, County Judge


Authorized Agent – Signature

Date

Jonathan Burgiel
Authorized Agent- Printed Name

Business Unit President
Title

ATTEST:

June 25, 2024
Date

Laura Richard, County Clerk

AUDITOR'S CERTIFICATE

I hereby certify that funds in the amount of \$_____ are available to pay the obligation of Fort Bend County, Texas within the foregoing Agreement.

Robert Ed Sturdivant, County Auditor

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EXHIBIT A-3

(Follows Behind)

A. INTRODUCTION

On November 15, President Biden signed the Infrastructure Investment and Jobs Act (IIJA/P.L. 117-58). The bipartisan infrastructure law provides \$973 billion over five years from FY 2022 through FY 2026, including \$550 billion in new investments for modes of transportation, water, power and energy, environmental remediation, public lands, broadband and resilience. The County of Fort Bend (County) is one of many communities within the State of Texas who received funding from the Infrastructure Investment and Jobs Act.

Under the bill, the State of Texas is estimated to receive \$35,440,000.00, broken down into categories below:

- Transportation-related funds
- Water infrastructure funds
- Broadband funds
- Energy and power funds
- Environmental remediation
- Water infrastructure funds
- Resiliency project funds

The specific allocation for Fort Bend County will be determined at a later date, and Tetra Tech will work with the County to maximize funding opportunities.

B. PROJECT SCOPE OF WORK

Phase II – Program Continuation

Task 1 – Project Design and Management

In support of the County's federal grant programs, Tetra Tech will provide guidance and support to the ongoing efforts of the grant program teams within the County. Assistance will be in two main categories, as outlined below:

Tetra Tech will support the County by program and grant management for funding received under the IIJA and other federal and state funding sources:

- Assistance on the continued execution of a program management team within the County for federal grant funding
- Program management support includes close coordination with County officials and daily and weekly meetings with County department officials

Sub-Task 1.1 – Administration Support for IIJA Projects and Grants

- Administrative support includes close coordination with County officials, daily and weekly meetings with County department officials, and documentation of all correspondence between County staff, sub-recipient officials, and Tetra Tech employees
- The creation and dissemination of weekly Project Manager Reports focused on both financial and programmatic status updates, as well as sub-recipient RFIs and responses as required

Sub-Task 1.2 – Project Management Forecasting and Oversight

- Project Management Forecasting - activities related to financial projections, daily tracking and reconciliation of actual versus projected spend
- Project Management Oversight - tasks related to oversight of operations for Task Order processes and projects, identification of other grant opportunities

Task 1 Deliverable(s): Tetra Tech will produce Weekly Project Manager Reports.

Task 2- Grant Management

Grant management support includes the creation of an IT platform for recipient and sub-recipient document management and grant application processing, as well as policy-level support based upon Treasury, U.S. Department of Transportation, Federal Highway Administration the State of Texas, and the County's fiscal management processes.

Specifically, Tetra Tech will provide support on up to 25 **non-BRIC, non-FMA** federal grant applications, to include the following proposed projects:

- Roads and Bridges – four grant applications for proposed road and bridge projects

- Bridges - \$1.6M cost on improving 30+ wooden bridges
 - Bridge Formula Program through TxDOT - TBD
 - Surface Transportation Block Grant through TxDOT – TBD, but AP probably due Dec 2022
- Roads – 1000+ miles of roads needing improvement
 - Rural Surface Transportation Grant Program through TxDOT – TBD, but AP probably due Dec 2022
 - National Highway Performance Program through TxDOT - TBD, but AP probably due Dec 2022
- Information Technology – 11 grant applications for proposed broadband, hardware, and software projects
 - Overall County Broadband Project
 - Middle Mile – application package (AP) due Sep 30, 2022
 - ARPA Broadband through Texas BDO – tentative, AP due Oct 31, 2022
 - IIJA BEAD through Texas BDO
 - IIJA Digital Equity Act through Texas BDO
 - Other IT
 - Enterprise Ticketing System and Asset Management - \$2.9M – State and Local Cybersecurity Grant Program; TBD but likely AP window to open CY22 3Q
 - Fairgrounds Public Wireless - \$3.1M – IIJA Digital Equity Act through Texas BDO
 - Justice Center 10G Wireless Bridge - \$3.6M - State Digital Act through Texas BDO
 - Shared Services Appliance - \$3.8M – State and Local Cybersecurity Grant Program; TBD but likely AP window to open CY22 3Q
 - Technology Network Security - \$3.5M - State and Local Cybersecurity Grant Program; TBD but likely AP window to open CY22 3Q
 - Security Badge Conversion Project - \$3.6M - State and Local Cybersecurity Grant Program; TBD but likely AP window to open CY22 3Q
 - VM Servers and SAN Upgrade - \$3.7M - State and Local Cybersecurity Grant Program; TBD but likely AP window to open CY22 3Q
- Judge’s Office – 1 grant application for the Environmental Protection Agency’s Climate Pollution Reduction Grant (CPRG)
- Public Transit – three grant applications for proposed bus/transportation infrastructure projects
 - RAISE Grant – AP due 4/30/23
 - Strengthening Mobility and Revolutionizing Transportation (SMART) – AP due Nov 30, 2022
 - 2023 Low-No Buses & Bus Facilities – AP due May 31, 2023
- Human Resources
 - One grant application for proposed employee management portal - \$2.3M – ARPA annual project submission and inclusion in quarterly and annual reports
- Precincts – six grant applications for proposed water infrastructure, electric vehicle, and road projects
 - Water Infrastructure
 - Pleak - Water Line Improvement/water plant 1500 GPM well - \$4.5M
 - PROTECT - Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation; Resilience Improvement Grants – apply through state agency; competitive NOFO to be released later this year
 - Kendleton – Increase water and sewage infrastructure; water and sewer extensions
 - PROTECT - Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation; Resilience Improvement Grants – apply through state agency; competitive NOFO to be released later this year
 - Electric Vehicles
 - Charging & Fueling Infrastructure Grants (Corridor Charging) – DOT managed, TBD
 - Charging and Fueling Infrastructure Grants (Community Charging) – DOT managed, TBD
 - Roads – Improve 15 roads in Precinct 4
 - Rural Surface Transportation Grant Program through TxDOT – TBD, but AP probably due Dec 2022

- National Highway Performance Program through TxDOT - TBD, but AP probably due Dec 2022

Sub-Task 2.1 – Grant Application Outreach

- Tetra Tech will provide support to the County for outreach to County departments and potential sub-recipients on project and grant milestones and deadlines.
- Tetra Tech will create initial, follow-up, and final messaging for County departments and sub-recipients to include email communications which outline grant and project guidance and eligible costs.
- Tetra Tech will utilize RecoveryTrac™ for management of outreach responses and RFIs from County departments and sub-recipients.

Sub-Task 2.2 - Eligibility Recommendations for Projects and Grants

- Tetra Tech will support the County by establishing eligibility criteria for projects and grants and ensuring County departments and sub-recipients are aware of these criteria.
- Tetra Tech will make eligibility recommendations to County staff on potential grant and project applications.

Sub-Task 2.3 - Application Assistance for Formula Grant Funding

- Tetra Tech staff will perform direct assistance to County departments and sub-recipients on formula grant application creation, submission, and overall management of block (or formula) funded grant opportunities
- Tetra Tech will capture and disseminate periodic “best practices” being shared with grant applicants
- Tetra Tech staff will conduct one-on-one support for entities applying for grants as needed
- Weekly reports will be created by Tetra Tech and submitted to County leadership to track numbers of grant applications, number reviewed, and number recommended for consideration as eligible
- Grant application closeout support will be provided to grant recipients, both internal and external to the County

Sub-Task 2.4 - Application Assistance for Competitive Grant Funding

- Tetra Tech staff will perform direct assistance to County departments and sub-recipients on competitive grant application creation, submission, and overall management of competitive grant opportunities
- Tetra Tech will capture and disseminate periodic “best practices” being shared with grant applicants
- Tetra Tech staff will conduct one-on-one support for entities applying for grants as needed
- Weekly reports will be created by Tetra Tech and submitted to County leadership to track numbers of grant applications, number reviewed, and number recommended for consideration as eligible
- Grant application closeout support will be provided to grant recipients, both internal and external to the County

Task 3 – Technical Assistance

In support of the County’s IIJA program, the EPA’s Climate Pollution Reduction Grant (CPRG) program, and other federal and state funding programs as requested by the County, The additional support on non-IIJA funding opportunities will in no way exceed the total cost of the existing contract. Tetra Tech will provide expert-level technical assistance on all aspects of grant and project management, to include federal policy guidance, grant and project proposal support, and the creation and implementation of a document repository for County, Tetra Tech, and external audit personnel use as required.

Tetra Tech will actively monitor applicable sources for new guidance and Grant/Fund requirements, as well as explore new reimbursement or cost recovery opportunities not yet identified. Tetra Tech will also assist the County with facilitating communications between applicable Federal, State, and other local stakeholders as requested. Tetra Tech will also provide expert guidance and advisory services regarding applicable legislation, regulations, policies, and rules related to the Infrastructure Investment and Jobs Act (IIJA/P.L. 117-58), Federal Procurement rules, etc.

Sub-Task 3.1 – General Technical Assistance

- Technical assistance for project and grant proposals, to include both recipient and sub-recipient support on IIJA, CPRG, and other federal and state programs as requested by the County
- Technical assistance on compliance with federal reporting requirements from each federal agency that funds are awarded

- Guidance on internal control procedures necessary to comply with federal guidance, to include recipient and sub-recipient grant applications, project management, sub-recipient monitoring and project closeouts

Sub-Task 3.2 – Subrecipient Monitoring

- In accordance with the Department of Treasury policies and procedures, as well as the Infrastructure Investment and Jobs Act (IIJA/P.L. 117-58), Tetra Tech will perform sub-recipient monitoring of funding provided to other entities by the County from the IIJA awards.
- Monitoring includes examination of required sub-recipient periodic reporting, invoicing, and closeout procedures.

Sub-Task 3.3 – Documentation Repository Management

- Tetra Tech will plan and execute the creation, standup, and use of an IT portal to allow for transparent tracking of sub-recipient grant and project management, to include a depository for period reports and closeout documents.
- This portal will also include a shared document library containing relevant project documentation and communications that pertain to IIJA projects and programs and reconciled project costs, and the tracking and management of Requests for Information (RFIs)
- Tetra Tech will assist with compiling and organizing project documentation collected by the County and stored in a mutually agreed upon shared location to support the County with responding to subsequent audit requests pertaining to IIJA projects.
- Important elements of this audit support task order will be to:
 - Assist the County in establishing a grant management tracking system that will allow the County to track each discrete grant-related expenditure by department and assign it to a federal grant program.
 - Provide audit support of the cost data (time sheets, project specific costs, outgoing payments to funding recipients (residents, businesses) to ensure activities have been performed to follow County project SOPs and guidelines to avoid fraud, waste, and abuse of funds that could result in the defunding of the activity by the sponsoring federal agency.

Tetra Tech's level of support will be flexible to allow for costs to be moved from one federal funding program to another as new guidance is provided. Our project team will organize in such a way to allow for easy audit of the data by state and federal audit agencies that may perform audits for their respective funds provided (e.g., Department of Transportation) and allow for the County and Tetra Tech to audit the data easily in preparation for audits.

Task 3 Deliverable(s): Tetra Tech will execute an IT Portal to manage, and document required reporting, closeout documents, other project management documents for the recipient and subrecipient, and RFIs. In addition, a weekly report will be provided to County leadership for tracking of monitoring efforts.