

Contractor does further understand and agree, said understanding and agreement also being of the absolute essence of the Agreement, that the total Maximum Compensation that Contractor may become entitled to and the total maximum sum that County may become liable to pay to Contractor under the Agreement shall not under any conditions, circumstances, or interpretations thereof exceed One Million One Hundred Eighty-Eight Thousand Nineteen and 13/100 Dollars (\$1,188,019.13).

3. **Recitals.** The recitals set forth above are incorporated herein by reference and made a part of the Agreement.
4. **Human Trafficking.** BY ACCEPTANCE OF THIS AGREEMENT, CONTRACTOR ACKNOWLEDGES THAT FORT BEND 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.
5. **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 First Amendment shall prevail with regard to the conflict.

{Execution Page Follows}

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FORT BEND COUNTY, TEXAS

OTHON, INC.

KP George, County Judge

Authorized Agent – Signature



Daniel A. Davila, PE

Date

Authorized Agent- Printed Name

Executive Vice President

ATTEST:

Title

Laura Richard, County Clerk

07/10/2024

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, Texas under this Agreement.

Robert E. Sturdivant,
County Auditor

i:\agreements\2024 agreements\engineering\othon, inc. (21-eng-100843-a1)\amendment 1 -- prof srvc agrmt (mobility bond no. 20303b -- sh99 nb frontage road extension) drp 06.21.24.docx

EXHIBIT A-1

(Contractor's Proposal Follows Behind)



April 2, 2024

Binkley & Barfield/DCCM
1710 Seamist Drive
Houston, Texas 77008
Att: Kevin Mineo, PE

Re: SH99 NBFR – Fort Bend County Precinct 1
Prime Project No.: 20303b

Dear Mr. Mineo,

Othon has been requested to submit a supplemental fee proposal for the additional engineering services of the project referenced above.

The additional scope of the project involves the reconfiguration of the existing entrance/exit ramp to its reverse configuration.

Below is the fee summary:

Fee Summary:
Supplemental Fee: **\$109,926.47**
Original Total Basic Fee: \$1,078,086.90
Total Adjusted Contract Fee: \$1,188,013.37

Attachments:

- Overall Fee/Budget Schedule
- Othon Fee/Budget Schedule
- Subconsultant Proposals (EHRA & Geotest)

Should you have any questions, feel free to contact me.

Sincerely,

Ivan Salinas, PE
Project Manager

FEE SCHEDULE/BUDGET
 Method of Payment: Lump Sum

DESCRIPTION OF WORK TASK	PRIME OTHON	SUB SWCA	SUB EHRA	SUB Geotest	TOTAL COST
ORIGINAL CONTRACT SERVICES					
Schematic/PS&E	\$ 810,818.16	\$ 150,245.20	\$ 95,980.00	\$ 21,043.54	\$ 1,078,086.90
SUPPLEMENTAL					
Ramp Reversal Design	\$ 54,084.71	\$ -	\$ 48,745.00	\$ 7,096.76	\$ 109,926.47
ADJUSTED TOTAL FEE	\$ 864,902.87	\$ 150,245.20	\$ 144,725.00	\$ 28,140.30	\$ 1,188,013.37

SH 99 NBFR: Cinco Ranch Blvd to Westheimer Parkway

SH99 NBFR Supplemental Summary Otton, Inc.

Task Description	Project Manager	Senior Structural Engineer	Senior Engineer	Project Engineer	EIT	Senior CADD Operator	CADD Operator	Admin/ Clerical	Sr Public Involvement Officer	Traffic Engineer	Public Involvement Officer	Total Labor Hours	Total Labor
Labor Rates	\$210.10	\$184.16	\$178.97	\$139.68	\$97.27	\$94.67	\$81.70	\$63.94	\$151.73	\$143.03	\$126.60		
Coordination with other Consultants	15											15	\$ 3,151.50
Coordination with PGAL for mainline widening interaction with proposed ramp design elements.	15	0	0	0	0	0	0	0	0	0	0	15	\$ 3,151.50
SubTOTAL													
Additional Roadway Design Due to Reverse Ramps													
Proposed Typical Section	1		1	2	3	2	3					12	\$ 1,394.68
Summary of Roadway Quantities	0		0	2	8	0	0					10	\$ 1,057.52
Pavement Marking Summary	0		0	2	8	0	0			0		10	\$ 1,057.52
TCP Typical Sections	1		4	16	4	16	10			1		28	\$ 2,890.49
TCP Layouts (Includes temporary ramps plan and profile)	2		8	16	8	16	30			8		80	\$ 6,283.92
TCP Standards	0		0	0	0	0	1			0		2	\$ 178.97
Removal Layouts	1		3	6	6	4	12			0		32	\$ 3,527.79
Ramp P&P (2 Sheets)	2		8	12	12	12	20			0		62	\$ 6,906.68
Earthwork Cross Sections and modeling	1		4	4	4	10	20			4		49	\$ 5,038.10
Signing & Pavement Marking Layouts	1		0	4	4	8	10			4		31	\$ 3,344.38
SubTOTAL	9	0	16	40	74	58	106	0	0	13	0	316	\$ 33,680.05
Additional Drainage Design Due to Reverse Ramps													
Overall Drainage Area Map (Also considering PGAL drainage runoff from mainline widening)	1		1	2	3	2	5					14	\$ 1,556.08
Drainage Area Map (Also considering PGAL drainage runoff from mainline widening)	1		2	3	4	5	6					21	\$ 2,339.71
Runoff Computations (Also considering PGAL drainage runoff from mainline widening)	1		2	3	4	5	6					21	\$ 2,339.71
Additional drainage inlets and laterals due to new Ramps and mainline widening runoff	1		0	2	4	6	6					19	\$ 1,936.76
SubTOTAL	4	0	5	10	15	18	23	0	0	0	0	75	\$ 8,174.26
Additional Safety Lighting Design Due to Reverse Ramps													
Sheet Layouts (2 sheets)	1		2	3	3	8	20					37	\$ 3,670.25
Electrical Tables (2 sheets)	1		4	3	8	4	12					32	\$ 3,482.26
Electrical Service Summary (1 sheet)	1		1	2	4	4	6					18	\$ 1,916.39
Circuit Diagram (1 sheet)	1		2	2	4	4	6					19	\$ 2,105.36
Summary of Illumination Quantities (1 sheet)	1		0	0	0	0	2					3	\$ 373.50
Illumination Standards	0		0	0	0	0	1					2	\$ 178.97
SubTOTAL	5	0	9	10	20	20	47	0	0	0	0	111	\$ 9,028.97
TOTAL	33	0	30	60	109	96	176	0	0	13	0	517	\$ 54,084.71



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SINCE 1936

TBPE No. F-726
TBPLS No. 10092300

April 30, 2024

VIA E-MAIL: isalinas@OTHON.com

Mr. Ivan Salinas, P.E.
Othon, Inc.
575 North Dairy Ashford, Suite 650
Houston, Texas 77079

Re: Proposal for Additional Surveying Services for Texas Department of Transportation
Survey Control and Right-of-Way Mapping Services
for SH-99 North Bound Frontage Road from Westheimer Parkway to Cinco Ranch Boulevard
Fort Bend County Precinct 3 Project No. 20303b
EHRA Project No. 211-508-00 (41)

Dear Mr. Salinas,

At your request, Edminster, Hinshaw, Russ & Associates, Inc. d/b/a EHRA (Surveyor) has prepared this proposal to provide professional surveying services for Othon, Inc. (Client) as referenced above, in accordance with the following description of professional services, terms and conditions:

SCOPE OF SERVICES

Additional Surveying Services

Surveyor will perform additional surveying services for survey control and right-of-way mapping services (15.1.1) in substantial compliance with the Texas Department of Transportation (TxDOT) to recover and verify existing control, establish the existing right-of-way, and prepare the final right-of-way maps, parcel maps, and parcel descriptions to define the boundaries for parcels of land required for widening the existing right-of-way of SH-99 required for the final frontage roadway design. This will involve surveying the existing east right-of-way of SH-99 and adjacent property from the north right-of-way line of Westheimer Parkway to the south right-of-way line of Cinco Ranch Boulevard (approximately 4,000 linear-feet). The Scope of Services is more specifically described as follows:

1. Abstracting services to obtain records for the existing east right-of-way of SH-99 within the project limits, the existing property adjacent to the east right-of-way of SH-99, the current ownership of the adjacent property, and provide title reports with easements for tracts of land subject to parcel takings. Prepare an abstract map for submittal to TxDOT with copies of records and checklist.

2. Obtain copies of current TxDOT survey control datasheets for SH-99 Stations H-13, H-14, H-15, and H-16 established by BGE, Inc. in November 2020. Prepare a survey control index map based on the recovery and verification of the TxDOT survey control conducted by EHRA during May, 2021 for submittal to TxDOT with copies of the checklist. Surveyor will not prepare datasheets for this project but will provide copies of the current TxDOT survey control datasheets for SH-99 Stations H-13, H-14, H-15, and H-16 established by BGE, Inc. in November 2020, if requested.
3. Perform field and office surveying necessary to recover and verify the existing east right-of-way for SH-99 and the existing boundary lines for the property adjacent to the east right-of-way for the project limits. Prepare a preliminary right-of-way map set for submittal to TxDOT with copies of the checklist.
4. Upon approval of the right-of-way map and the provided proposed right-of-way line for the project limits, prepare an initial parcel map set depicting the parcels of land required for widening SH-99 and submit to TxDOT with copies of the checklist.
5. Upon approval of the initial parcel map, prepare a final right-of-way set for the project limits depicting the parcels of land required for widening SH-99. This set shall include a cover sheet, parcel index sheets, survey control index and swing tie sketches, and the final alignment maps with the parcels of land required for the project limits. Submit to TxDOT with copies of the checklist.
6. Prepare a separate parcel map on 8 ½" x 11" sheet size for each individual parcel of land required for submittal to TxDOT with copies of the checklist.
7. Prepare a separate parcel metes and bounds description on 8 ½" x 11" paper size for each individual parcel of land required for submittal to TxDOT with copies of the checklist.
8. Prepare a separate parcel boundary closure report on 8 ½" x 11" paper size for each individual parcel of land required for submittal to TxDOT with copies of the checklist.
9. Prepare a survey report for the final right-of-way and parcel survey on 8 ½" x 11" paper size for submittal to TxDOT.
10. Upon approval of the final parcels required for the project limits, perform the necessary calculations and field surveying to stake the proposed right-of-way and parcel boundary corners. Provide records for the field stakeout for submittal to TxDOT.
11. Additional Services No. 1 will provide time and materials required to perform any revisions required by TxDOT beyond the routine and customary comments to products submitted under Tasks 1 through 10.



12. Additional Services No. 2 will provide time and materials for a current recovery and verification of the survey control for the project described under Task 2 should TxDOT require it.

COMPENSATION

Surveyor proposes to provide the above-described services to Client on an **hourly basis, plus reimbursable expenses, for a total estimated fee of \$48,745.00, as shown on the attached man-hour projection sheet. This fee is to be combined with the original contract fee of \$95,980.00, for a total fee of \$144,725.00. Should we discover any unforeseen problems not routinely or customarily associated with the above-described Scope of Services, we will notify you of the circumstances and provide a separate proposal for Additional Services.** Surveyor will not proceed with any Additional Services without prior written authorization by Client. The cost of labor, materials, and equipment for performing the above Scope of Services includes deed research for the boundary, printing, and delivery of copies of the drawing, and metes and bounds description.

PAYMENT

Surveyor shall submit invoice(s) for services rendered and for reimbursable expenses incurred in accordance with the attached Schedule of Hourly Rates. Client shall make prompt payment(s) in response to Surveyor's invoice(s).

Additional work beyond the Scope of Services described above will be considered an Additional Service and will subsequently be provided in accordance with the attached Schedule of Hourly Rates or negotiated to a fixed fee. Surveyor will not proceed with any Additional Services without prior written authorization by Client. Any Additional Services not contemplated under this Agreement can only be provided by a separate proposal or change order.

If all terms and provisions are acceptable to you, please signify so by executing this document in the appropriate space provided. Please retain one (1) executed copy for your records and return one (1) executed copy to the undersigned. We will consider receipt of this executed document as our authorization to proceed.

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Mr. Ivan Salinas, P.E.

April 30, 2024

Page 4

We thank you for the opportunity to provide professional surveying services and we look forward to working with you on this project.

CLIENT AND SURVEYOR AGREE AS SET FORTH ABOVE.

CLIENT

SURVEYOR

OTHON, INC.

**EDMINSTER, HINSHAW, RUSS
& ASSOCIATES, INC. d/b/a EHRA**

By: _____
Ivan Salinas, P.E.

Robert L. Boelsche
By: _____
Robert L. Boelsche, R.P.L.S.
Sr. Survey Project Manager
Surveying and Mapping Services

Effective Date: _____

Date: 05 / 01 / 2024

Charlie Kennedy
By: _____
Charles Kennedy, Jr., R.P.L.S.
Sr. Vice President | Practice Area Leader
Surveying and Mapping Services

Date: 05 / 01 / 2024

RLB/ol
Attachments: Man-Hour Projections
2024 Schedule of Hourly Rates



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EHRA Engineering | 10011 Meadowglen Lane | Houston, Texas 77042 | t 713.784.4500 | f 713.784.4577

www.EHRA.team

**EHRA ENGINEERING
2024 SCHEDULE OF HOURLY RATES**

Engineering, Design and Production	2024	Construction Phase Services	2024
Engineer I/II	\$ 130	Construction Inspector I	\$ 120
Engineer III	140	Construction Inspector II	130
Project Engineer	150	Construction Inspector III	145
Assistant Project Manager	175	Contract Administrator	100
Project Manager	200	Contract Administration Manager	125
Senior Project Manager	250	Assistant Construction Project Manager	130
Practice Area Leader - Engineering	275	Construction Project Manager	180
Principal	325	Senior Construction Project Manager	215
CAD Technician I/II	115	Practice Area Leader - Construction Phase Services	275
CAD Technician III	125		
CAD Technician IV	135	Planning and Visioning	
Design CAD Technician I	120	Land Planner I/II	\$ 130
Design CAD Technician II	130	Land Planner III	145
Senior Design CAD Technician	150	Land Planner IV	170
Project Coordinator	150	Planning Project Manager	180
Assistant Design and Production Manager	170	Senior Planning Project Manager	200
Design and Production Manager	205	Platting Coordinator	130
GIS Technician I/II	115	Senior Platting Coordinator	150
GIS Technician III	125	Platting Manager	180
GIS Specialist	135	Practice Area Leader - Planning and Visioning	275
GIS Manager	170		
GIS Director	180	Landscape Architecture	
		Project Landscape Designer	\$ 125
Surveying		Assistant Landscape Architecture Project Manager	145
Survey Rod Person	\$ 60	Landscape Architecture Project Manager	175
Survey Instrument Person	70	Registered Landscape Architect	190
Survey Party Chief	100	Practice Area Leader - Landscape Architecture	275
Survey Field Supervisor	145		
1 Person GPS/Robotic Crew	150	General	
CAD Operator	105	Expert Witness	\$ 350
Survey CAD Technician	115	Accounting Administrator	130
Senior Survey CAD Technician	140	Bond Issue Supervisor	165
Survey Project Manager/RPLS	185	Bond Issue Coordinator	140
Senior Survey Project Manager/RPLS	240	Administrative Assistant	105
Practice Area Leader - Surveying	275	Clerical	90

Signature Certificate

Reference number: MVQQT-WSXLL-AYFYB-XKEC4

Signer

Timestamp

Signature

Bob Boelsche

Email: bboelsche@ehrainc.com

Sent: 30 Apr 2024 17:46:44 UTC
Viewed: 01 May 2024 17:57:28 UTC
Signed: 01 May 2024 17:57:52 UTC

Robert L. Boelsche

Recipient Verification:

✓ Email verified 01 May 2024 17:57:28 UTC

IP address: 50.230.36.74
Location: Houston, United States

Charlie Kennedy

Email: ckennedyjr@ehrainc.com

Sent: 30 Apr 2024 17:46:44 UTC
Viewed: 01 May 2024 18:09:23 UTC
Signed: 01 May 2024 18:09:37 UTC

Charlie Kennedy

Recipient Verification:

✓ Email verified 01 May 2024 18:09:23 UTC

IP address: 50.230.36.74
Location: Houston, United States

Document completed by all parties on:

01 May 2024 18:09:37 UTC

Page 1 of 1



Signed with PandaDoc

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GEOTEST ENGINEERING, INC.

Geotechnical Engineers & Materials Testing

5600 Bintliff Drive

Houston, Texas 77036

Telephone: (713) 266-0588

Fax: (713) 266-2977

Geotest Job No. 1140282501

December 8, 2023

Mr. Ivan Salinas, P.E.
Othon Engineering
575 N. Dairy Ashford Road
Houston, Texas 77079

**Re: Proposal for Additional Geotechnical Investigation
SH 99 North Bound Frontage Road
Fort Bend County, Texas**

Dear Mr. Salinas:

As per your request and per our discussions on December 1, 2023, Geotest Engineering, Inc. (Geotest) is pleased to submit this proposal for providing additional geotechnical investigation for the proposed SH 99 Northbound Frontage Road in Fort Bend County, Texas. Based on the information provided, it is our understanding that the ramp configuration will be reversed and two ramps (entrance and exit) will be reconstructed.

Drill and sample two (2) 20-foot borings with one each at entrance and exit ramp reconstruction per TxDOT guidelines, perform laboratory tests to select design soil parameters and perform engineering analysis to develop geotechnical recommendations for the design and construction of the proposed reconstruction of entrance and exit ramps. The findings from field and laboratory data, and geotechnical recommendations for entrance and exit ramp reconstruction will be submitted as part of our original geotechnical report. The cost of drilling and sampling, performing laboratory tests and developing geotechnical recommendations for reconstruction of entrance and exit ramps and include as part of original geotechnical report will be a not to exceed cost of \$7,096.76 (shown in Attachment E – Supplemental).

We appreciate the opportunity to propose on this project. If you have any questions, please call us. Please send an amendment to our Subcontract to increase the authorized e-mail from \$21,043.54 to \$28,140.30.

Very truly yours,
GEOTEST ENGINEERING, INC.

B.C. K

Mohan Ballagere, P.E.
Vice President

MB/ego

Copies Submitted: (1-PDF)

Enclosures: Attachment E – Fee Schedule - Supplemental

Scans\Geotechnical Job\1140282501\40282501_Additional Proposal.DOC

Task Descriptions	Senior Engineer	Support Manager	Project Engineer	Engineer-In-Training	Senior Engineer Tech	Admin/Clerical	Total Cost
	\$ 221.98	\$ 208.83	\$ 160.63	\$ 81.15	\$ 81.83	\$ 69.44	
Engineering and Report Preparation	2	4	6	18	4	2	\$ 4,169.96
Subtotal Hours:	2	4	6	18	4	2	\$ 4,169.96
Subtotal Labor Cost:	\$ 443.96	\$ 835.32	\$ 963.78	\$ 1,460.70	\$ 327.32	\$ 138.88	\$ 4,169.96

DESCRIPTION	Senior Engineer	Support Manager	Project Engineer	Engineer-In-Training	Senior Engineer Tech	Admin/Clerical	TOTAL COSTS BY FC
Personnel	2	4	6	18	4	2	\$ 4,169.96
Unit Costs							\$ 2,826.00
ODIES							\$ 100.80
						Total	\$ 7,096.76

OTHER DIRECT EXPENSES

Sub Provider: Geotest Engineering, Inc.

Services To Be Provided		Unit	Unit Cost	Quantity	Amount
Mileage		mile	\$ 0.560	180	\$ 100.80
Total:					\$ 100.80

Function Code:

UNIT COST PAYMENT BASIS

Function Code:

SUB- PROVIDER NAME: Geotest Engineering, Inc.		UNIT	COST	QUANTITY	AMOUNT
SERVICES TO BE PROVIDED		TEST			
Mobilization/Demobilization of Truck Mounted Drill Rig and Crew		lumpsum	\$ 600.00		\$ -
Drilling and Sampling, Truck Mounted Rig, from 0 to 50 ft		ft	\$ 25.00	40	\$ 1,000.00
Grouting of Completed Bore Holes		ft	\$ 12.00	40	\$ 480.00
TxDOT Cone Penetration Test (every 5 feet)		each	\$ 31.00	8	\$ 248.00
Liquid and Plastic Limits	ASTM D4318	each	\$ 71.00	6	\$ 426.00
Moisture Content	ASTM D2216	each	\$ 11.00	7	\$ 77.00
Percent Passing No. 200 Sieve	ASTM D1140	each	\$ 55.00	2	\$ 110.00
Sieve Analysis through No. 200 Sieve	ASTM D6913	each	\$ 65.00	1	\$ 65.00
Sieve Analysis with Hydrometer	ASTM D7928	each	\$ 145.00		\$ -
Unconfined Compressive Strength of Soil	ASTM D3080	each	\$ 51.00	4	\$ 204.00
Unconsolidated-Undrained Triaxial Compression	ASTM D2166	each	\$ 72.00	3	\$ 216.00
Consolidated Undrained Triaxial tests	ASTM D4767	each	\$ 1,900.00		\$ -
Crumb Tests	ASTM D6572	each	\$ 37.00		\$ -
Double Hydrometer	ASTM D4221	each	\$ 177.00		\$ -
Specific Gravity	ASTM D854	each	\$ 30.00		\$ -
				Total:	\$ 2,826.00