

FORT BEND COUNTY FY 2009
COMMISSIONERS COURT AGENDA REQUEST FORM

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: 05/27/2009	Submitted By: P.Batts
Court Agenda Date: 06/02/09	Department: Engineering Phone Number: 281 633 7507

SUMMARY OF ITEM: Take all appropriate action to approve Supplemental Agreement No.1 between Fort Bend County and Pate Engineering regarding widening of Old Richmond (from West Airport Blvd. to Boss Gaston Road), in an amount not to exceed \$24,000.00 for a grand total of the contract to be \$209,200.00, Mobility Bond Project #729, Precinct 4. (Fund: Mobility Bonds) Lawson P.O.# 17499

RENEWAL AGREEMENT/APPOINTMENT YES NO

FINANCIAL SUMMARY:

BUDGETED ITEM: YES NO

FUNDNG SOURCE: Accounting Unit: _____ Account Number: _____
Activity (If Applicable): _____

DESCRIPTION OF LAWSOM ACCOUNT: _____

Instructions to submit Agenda Request Form:

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

DISTRIBUTION:

Original Form Submitted with back up to County Judge's Office (✓ when completed)
If by E-Mail to ospindon@co.fort-bend.tx.us If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

<input type="checkbox"/> Auditor (281-341-3774)	<input type="checkbox"/> Comm. Pct. 1 (281-342-0587)
<input type="checkbox"/> Budget Officer (281-344-3954)	<input type="checkbox"/> Comm. Pct. 2 (281-403-8009)
<input type="checkbox"/> Facilities/Planning (281-633-7022)	<input type="checkbox"/> Comm. Pct. 3 (281-242-9060)
<input type="checkbox"/> Purchasing Agent (281-341-8642)	<input type="checkbox"/> Comm. Pct. 4 (281-980-9077)
<input type="checkbox"/> Information Technology (281-341-4526)	<input type="checkbox"/> County Clerk (281-341-8697)
<input type="checkbox"/> Other:	<input type="checkbox"/> County Atty (281-341-4557)

RECOMMENDATION / ACTION REQUESTED:

Special Handling Requested (specify):

6-11-09 2 orig's. ret. to Paulette at Engineering

AGENDA ITEM
24A

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**FIRST AMENDMENT TO
PROFESSIONAL ENGINEERING SERVICES AGREEMENT
PROJECT NO. 729 – OLD RICHMOND ROAD**

THIS FIRST AMENDMENT is made and entered into by and between FORT BEND COUNTY, TEXAS, a public body corporate and politic of the State of Texas acting by and through the Fort Bend County Commissioners Court (hereinafter referred to as “County”) and PATE ENGINEERS, INC., (hereinafter referred to as “Engineer,”) authorized to conduct business in the State of Texas.

WITNESSETH

WHEREAS, on or about June 3, 2008, County and Engineer entered a Professional Engineering Services Agreement, hereinafter referred to as “the Agreement,” for the expansion of Old Richmond Road, Project No. 729, located in Fort Bend County, Texas, as part of the 2007 Fort Bend County Mobility Programs, hereinafter referred to as the “Project;” and,

WHEREAS, County and Engineer desire to amend the Agreement to modifications to the original scope of works for the Project, as further described in Exhibit A and as set forth below.

NOW, THEREFORE, in consideration of the foregoing, the Agreement between County and Engineer is hereby amended as follows:

AGREEMENT

1. Section 2.01 the Agreement is hereby amended as follows:

“For and in consideration of the services rendered by Engineer, and subject to the limit of appropriation under Section XVI, County shall pay to Engineer an amount not to exceed \$209,200.00, including all reimbursable expenses. This amount includes the \$185,200.00 approved in the Agreement on June 3, 2008, and an additional \$24,000.00 for additional services described in Exhibit A.”

2. Section 3.01 of the Agreement is hereby amended as follows:

“This Agreement shall become effective on June 3, 2008 and shall terminate on or before October 31, 2009.”

3. Section XV of the Agreement is hereby amended as follows:

15.01 Prior to the execution of this Agreement, Engineer has been advised by County, and Engineer clearly understands and agrees, such understanding and agreement being of the absolute essence to this Agreement, that County shall have available the total

maximum sum of \$209,200, including reimbursable expenses, if any, specifically allocated to fully discharge any and all liabilities which may be incurred by County.

15.02 Engineer does further understand and agree, said understanding and agreement also being of the absolute essence of this Agreement, that the total maximum compensation that Engineer may become entitled to hereunder and the total maximum sum that County shall become liable to pay to Engineer hereunder shall not under any conditions, circumstances or interpretations thereof exceed the sum of \$209,200.

4. Attached hereto is Exhibit A – proposal from Contractor dated December 2, 2008 regarding modifications to the Agreement, and Exhibit B – the Agreement approved by County on June 3, 2008, incorporated by reference as if set forth therein verbatim for all purposes.
5. Except as modified herein, the Agreement remains in full force and effect and has not been modified or amended.
6. If there is a conflict between this Amendment and the Agreement, the provisions of this Amendment shall prevail.

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EXECUTION

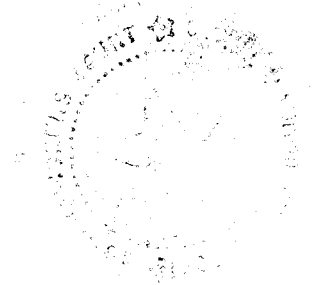
This Amendment shall become effective upon executed by County.

FORT BEND COUNTY:

Robert E. Hebert
Robert E. Hebert, County Judge

June 2, 2009
Date

Attest: *Dianne Wilson*
Dianne Wilson, County Clerk



Approved: COUNTY PROJECT MANAGER
D. Jesse Hegemier
D. Jesse Hegemier, Fort Bend County Engineer

ENGINEER: PATE ENGINEERS, INC.
Jeff E. Ross
Jeff E. Ross, Senior Vice President

05/28/09
Date

MER:Engineering Services Agreement.Pate3791-729- First Amendment

Attachments: Exhibit A & B

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$209,200 to accomplish and pay the obligation of the Fort Bend County under this contract.

Ed Sturdivant
Ed Sturdivant, Fort Bend County Auditor

EXHIBIT A



December 2, 2008

Mr. David Balmos, P.E.
KLOTZ Associates, Inc.
1160 Dairy Ashford, Suite 500
Houston, Texas 77079

Reference: Supplemental Proposal to Perform Professional Engineering and
Surveying Services for the Old Richmond Road Widening from West
Airport Blvd. to Boss Gaston Road; PATE Proposal No.: PWH-2008-02b

Dear Mr. Balmos:

Pate Engineers, Inc. presents this supplemental proposal to perform professional engineering and surveying services for long range needs of Old Richmond Road. This supplemental proposal covers the additional effort required to collect topographic data and produce plan and profile sheets associated with the new pavement required by the realignment of Old Richmond Road. This realignment was necessary to accommodate the intersection of the proposed West Bellfort Boulevard and to improve roadway geometrics north of McCaskel Road.

This supplemental specifically includes provisions for additional effort to develop the new alignment, additional plan and profile production and additional topographic survey for the approved alignment and coordination and design effort in conjunction with schematic modifications. Additional plan and profile sheets will be incorporated into the currently authorized design set and will become a part of the project.

The original contract and proposal will remain in effect and will be amended to include the new scope of work as outlined in this request. The additional services for this project do not include traffic control, storm water pollution prevention plans, environmental investigation, traffic signal design, a detailed cost estimate, or coordination with local utilities to identify potential conflicts. Coordination with local utilities will be carried out by Fort Bend County. If any of these additional services is warranted, a separate proposal will be submitted for these services.

We propose to perform the above described Scope of Services for Basic Services for the lump sum fee of \$20,000 and the additional topographic survey for the lump sum fee of \$4,000. Manhour estimates in support of the proposed fees are provided.

The total estimated fee (basic and additional services) included in this supplemental proposal is \$24,000. No work will be performed, nor will the total fee stated above be exceeded without prior, written authorization from Fort Bend County. Supporting fee proposals or man-hour estimates are attached detailing the scope of services for

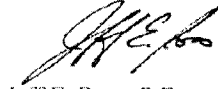
Mr. David Balmos, P.E.
Klotz Associates, Inc.
December 2, 2008
Page 2

corresponding work items. This supplemental request results in a total authorization of \$209,200 for the project.

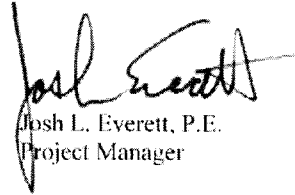
We appreciate the opportunity to work with Fort Bend County. If you need additional information in support of this proposal, please contact us at 713-462-3178.

Very truly yours,

PATE ENGINEERS, INC.



Jeff E. Ross, P.E.
Senior Vice President



Josh L. Everett, P.E.
Project Manager

Enclosures

J:\0509\057001800 Old Richmond Rd Paving Improvements\200 PROJ MGMT\00 Proposal\design Supplemental_Old Richmond Road 11-09-08.doc

Old Richmond Road (Supplemental)
 Production MH Estimate
 PATE ENGINEERS, INC.
 INFRASTRUCTURE GROUP
 DATE: 11/12/28

Pate Project No. 0570-018-00

Sheet	Description	PM	PM	DM	DE	INSTR	TECH	CHECK	Total Hours	Hours per Sheet	Cost per Sheet	Budget
	Cover Sheet (no change)	213	132	136	142	150	363	353				
	Sheet Layout (no change)											
	General Notes (no change)											
	Drainage Area Map and Calculations Sheet (1" = 100') (no change)											
	Typical Pavement Sections (no change)											
	Roadway Plan & Profile Sheets for new alignment (1" = 20')			4	3	5	42		60	10	\$ 1,080	\$ 645
	Miscellaneous Details (no change)											
	Permanent Signing & Pavement Markings (1" = 60') (no change)											
	Project Management	2	12						14			3,515
	Schematic Design and Layout Modifications	3	8	2	28	13	26		60			10,863
	Design Memo											
	Site Visit											
	Specifications											
	Basic Services Subtotal	4	20	6	35	19	63		144			20,166