

THE STATE OF TEXAS           §  
  §  
COUNTY OF FORT BEND       §

## FOURTH AMENDMENT TO PROJECT MANAGEMENT AGREEMENT

THIS FOURTH AMENDMENT is made and entered into by and between the Fort Bend County, a body corporate and politic under the laws of the State of Texas, acting by and through the Fort Bend County Commissioners Court, and SCHAUMBURG & POLK, INC. (hereinafter referred to as "Project Manager") authorized to conduct business in the State of Texas.

### RECITALS

WHEREAS, on or about August 28, 2007, County and Project Manager entered a Project Management Agreement, hereinafter referred to as the "Agreement," for services relating to the management and administrative support for the 2007 Fort Bend County Mobility Bond Program; and,

WHEREAS, County and Project Manager entered into a First Amendment to the Agreement on October 28, 2008, a Second Amendment on February 3, 2009 and a Third Amendment on February 2, 2010;

WHEREAS, County and Project Manager desire to further amend said Agreement.

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

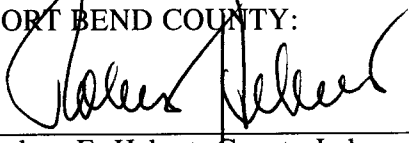
1. Section 8.3.2 of the Agreement requiring a five percent (5%) retainage on Project Manager's fee is hereby deleted.
2. All retainage held by County under the Agreement and any Amendments shall be paid to Project Manager within thirty (30) days of the effective date of this Agreement.
3. Except as modified herein, the Agreement and Amendments remain in full force and effect and has not been modified or amended.
4. If there is a conflict between this Amendment and the Agreement, the provisions of this Fourth Amendment shall prevail.

*REMAINDER OF PAGE INTENTIONALLY LEFT BLANK*


## EXECUTION

This Fourth Amendment shall not become effective until executed by County.

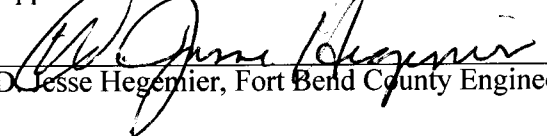
FORT BEND COUNTY:

  
Robert E. Hebert, County Judge

8-9-2010  
Date

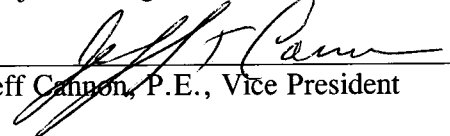
Attest:   
Dianne Wilson, County Clerk

Approved: COUNTY PROJECT MANAGER

  
Jesse Hegenier, Fort Bend County Engineer

8/9/10  
Date

Project Manager: SCHAUMBURG & POLK, INC.

  
Jeff Cannon, P.E., Vice President

7-30-10  
Date

MER:Schaumburg & Polk. Fourth Amendment.3791

## AUDITOR'S CERTIFICATE

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

  
Ed Sturdivant, Fort Bend County Auditor