

STATE OF TEXAS §
COUNTY OF FORT BEND § KNOW ALL MEN BY THESE PRESENTS:
§

FIRST AMENDMENT TO
AGREEMENT FOR PROFESSIONAL ENGINEERING & SURVEYING SERVICES

THIS FIRST AMENDMENT is made and entered into by and between 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, hereinafter referred to as "County," and Kelly R. Kaluza & Associates, Inc. hereinafter referred to as "Contractor," authorized to conduct business in the State of Texas.

RECITALS

WHEREAS, County and Contractor entered an Agreement for Professional Engineering and Surveying Services for the expansion of Harlem Road, hereinafter referred to as "the Project," dated October 11, 2011, (collectively, the "Agreement") attached hereto as Exhibit B, incorporated by reference as if set forth herein verbatim. County and Contractor desire to amend said Agreement as set forth in Contractor's proposal dated April 9, 2012, attached hereto as Exhibit A and incorporated herein by reference as if set forth verbatim.

NOW, THEREFORE, in consideration of the foregoing, the Agreement between County and Contractor is hereby amended to read:

- A. An additional amount not-to-exceed \$31,900.00 shall be available for additional engineering services provided by Contractor in connection with the Project as described in Exhibit A.
- B. Contractor's compensation for the Project shall not exceed \$413,500.00, which includes the original scope of work under the Agreement in the amount of \$381,600.00 and the additional services described in Exhibit A.
- C. No additional funding shall be available for services provided under the Agreement without prior written consent of County.
- D. Except as modified herein, the Agreement remains in full force and effect and has not been modified or amended.
- E. If there is a conflict between this First Amendment and the Agreement, the provisions of this Amendment shall prevail.

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EXECUTION

This Amendment shall become effective upon execution by County.

FORT BEND COUNTY:

Robert E. Hebert

Robert E. Hebert, County Judge

4-24-2012

Date

Attest:

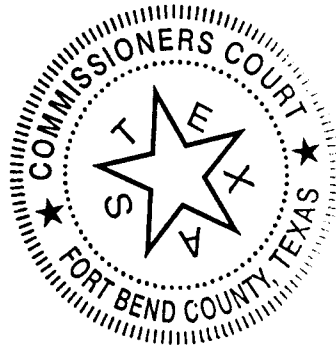
Dianne Wilson

Dianne Wilson, County Clerk

Approved:

D. Jesse Hegemier

D. Jesse Hegemier, County Engineer



CONTRACTOR: Kelly R. Kaluza & Associates, Inc.

Kelly Kaluza

Kelly R. Kaluza, P.E., President

4/19/12

Date

MER: Kelly Kaluza. Harlem Road. AMEND

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ 413,500.⁰⁰ to accomplish and pay the obligation of the Fort Bend County under this Agreement.

Ed Sturdivant

Ed Sturdivant, Fort Bend County Auditor

Exhibit A: Contractor's Proposal dated April 9, 2012

Exhibit B: Agreement dated October 11, 2011

Exhibit A

KELLY R. KALUZA & ASSOCIATES, INC.
Consulting Engineers & Surveyors
Engineering Firm No. F-1339
3014 Avenue I, Rosenberg, Texas 77471
(281) 341-0808 • FAX (281) 341-6333

April 9, 2012

D. Jesse Hegemier, P.E.
County Engineer
Fort Bend County Engineering
Post Office Box 1449
Rosenberg, Texas 77471

RE: Additional Survey Work along Harlem Road

Dear Mr. Hegemier:

The original scope of work for the Harlem Road project required topographic and boundary survey work for the new Harlem Road pavement area. The location of the work area is south of Travis High School and north of Oyster Creek.

At our April 2, 2012 meeting with Commissioner Patterson, Marc Grant and our staff, we discussed additional information required by the two landowners, Texas Department of Criminal Justice (TDCJ) and State of Texas Permanent School Fund (PSF). Based on our meeting and previous meetings with landowner's representatives, it was determined that additional survey information would be required.

The following information is the minimum required work based on the April 2, 2012 meeting:

A. SCOPE OF WORK - CURRENT KELLY R. KALUZA & ASSOCIATES, INC. (KALUZA) PROJECT AREA (EXPANDED)

- Location: From Oyster Creek to Travis High School south property line
- Length: 6400 linear feet
- Issues: TDCJ & PSF need detailed documentation of area within 3-party agreement ROW. The planned road configuration will involve multiple land swaps/abandonments
- Task: Office calculations to define area within 3-party agreement ROW; Depict 3-party agreement ROW area detail on right-of-way strip map; Prepare written description of area within 3-party agreement ROW across PSF tract and across TDCJ tract; Preparation of a written description of the full-width of Harlem Road across PSF tracts and a written description of the full width of Harlem Road across TDCJ tracts.

Total Estimated Fee = \$5,700.00

B. SCOPE OF WORK – ORIGINAL STATE AGREEMENT OUTSIDE OF KALUZA’S WORK AREA

Location: From the South edge of PSF tracts to Oyster Creek (end of new road construction)

Length: 6800 linear feet

Issues: TDCJ & PSF need detailed documentation of area within 3-party agreement ROW. New road right-of-way is wider than necessary & could be partially abandoned

Task: Research of the Public Records to obtain Deed Record descriptions of the subject tracts; On-the-ground survey by field crew to locate edge of new road pavement and backslope of new road ditch; Monument right-of-way property corners; Office calculations necessary to check location of the boundary lines in relation to features found during the course of the survey; Preparation of right-of-way strip map depicting entire road right-of-way; Office calculations to define area within 3-party agreement ROW in this project area; Depict 3-party agreement ROW area detail on right-of-way strip map; Prepare written description of area within 3-party agreement ROW across PSF tract and across TDCJ tract; Preparation of written description and survey exhibit for new right-of-way abandonment tract.

Total Estimated Fee = \$9,800.00

C. SCOPE OF WORK - NORTH AREA

Location: Along the East side of Travis High School from the south property line to Grand Parkway

Length: 3600 linear feet

Issues: New boulevard construction across PSF tract exceeds dedicated ROW

Task: Research of the Public Records to obtain Deed Record descriptions of the subject tracts; On-the-ground survey by field crew to locate edge of new road pavement and backslope of new road ditch along east side of roadway; Monument right-of-way corners, pipeline facilities and HI & P right-of-way; Office calculations necessary to check location of the boundary lines in relation to features found during the course of the survey; Preparation of right-of-way strip map depicting entire road right-of-way and survey work performed; Preparation of written description and survey exhibit for new road right-of-way tract.

Total Estimated Fee = \$7,900.00

At our April 2, 2012 meeting, we also discussed preparing a subdivision plat to have one document filed of record to reflect all tracts of land area owned by Fort Bend County, TDJC and PSF. The following information details the scope of work for additional services to provide a subdivision plat:

D. ADDITIONAL SCOPE OF WORK - SUBDIVISION PLAT

Location: From South edge of PSF tracts to Grand Parkway

Length: 17,200 linear feet

Issues: The planned road configuration will involve multiple land swaps/abandonments. A recorded subdivision plat provides clarity for future development. The subdivision plat would need to be approved by PSF, TDCJ, and FBC. The plat would need to be submitted to Richmond and to City of Houston for approval

Task: Format right-of-way strip map for recording as subdivision plat; Preparation and submittal of plat as required; Establish concrete GPS monument and datasheet as per FBC requirements.

Total Estimated Fee = \$8,500.00*

(*This price does not include plat submittal fees required by City of Richmond and City of Houston.)

PROJECT BUDGET SUMMARY:

(MINIMUM REQUIRED WORK)

A.	SCOPE OF WORK - CURRENT KELLY R. KALUZA & ASSOCIATES, INC. PROJECT AREA (EXPANDED) =	\$ 5,700.00
B.	SCOPE OF WORK - ORIGINAL STATE AGREEMENT OUTSIDE OF KALUZA'S WORK AREA =	\$ 9,800.00
C.	SCOPE OF WORK - NORTH AREA =	\$ 7,900.00
	TOTAL =	\$ 23,400.00

(ADDITIONAL SERVICES)

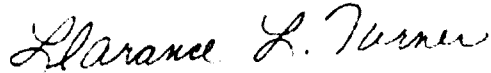
D.	SCOPE OF WORK - SUBDIVISION PLAT =	\$ 8,500.00
	TOTAL =	\$ 8,500.00
	OVERALL TOTAL FEE =	\$ 31,900.00

Please review the additional work as outlined. Upon approval of the description of work and fees, this document can be used as an exhibit for authorizing the work.

If you have any questions, please contact me.

Sincerely,

KELLY R. KALUZA & ASSOCIATES, INC.



Clarence L. Turner, R.P.L.S.

LLT/lao

cc: Commissioner James Patterson