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STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

SECOND AMENDMENT TO PROFESSIONAL ENGINEERING SERVICES AGREEMENT FOR TURN LANE DESIGN IMPROVEMENTS CONGESTION MITIGATION – Mobility Project X23 FORT BEND COUNTY ASSISTANCE DISTRICT NO. 1

THIS AGREEMENT is made and entered into by and between Fort Bend County, Texas, a public body corporate and politic of the State of Texas, acting herein by and through its Commissioners Court, hereinafter "County," Fort Bend County Assistance District No. 1, a public body corporate and politic of the State of Texas, acting herein by and through its Board of Directors, hereinafter "CAD No. 1," and Progressive Consulting Engineers, PLLC, hereinafter referred to as "Engineer," authorized to conduct business in the State of Texas, collectively referred to herein as the "Parties," and

WHEREAS, the Parties entered an Agreement for Professional Engineering Services for roadway turn lane improvements at six (6) intersections: Fry Road at Seven Meadows Blvd., Fry Road at Grand Parkway (SH 99), S-Concrete Curve at the Whole Foods Market Driveway, Westheimer Parkway at Grand Parkway (SH 99), Westheimer Parkway at Cinco Ranch Blvd., and Westheimer Parkway at Commercial Center Drive, located in Fort Bend County, Texas, hereinafter referred to as the "Project;" dated December 18, 2012, hereinafter referred to as the "Agreement;" and

WHEREAS, the Parties entered into the First Amendment to the Agreement for Professional Engineering Services, dated May 30, 2013, hereinafter referred to as the "First Amendment" to memorialize the additional services necessary to complete the Project and authorize an additional amount not-to-exceed \$39,300.00 for such additional services; and

WHEREAS, County, CAD No. 1 and Engineer desire to further amend said Agreement as set forth in Engineer's proposal dated April 15, 2014, 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, CAD No. 1 and Engineer is hereby amended as follows:

- A. Modify the original scope of work for additional engineering and surveying services as described in Exhibit A, attached hereto and incorporated herein for all purposes.
- B. Engineer's compensation for the Project shall not exceed \$205,968.00, which includes a reduction in an amount for the original scope of work from \$166,975.00 to \$166,668.00 as reflected in Exhibit A plus the not-to-exceed

Second Amendment to Professional Engineering Services Agreement
Progressive Consulting Engineers, PLLC – Six Turn Lanes
Page 1 of 8

- amount of \$39,300.00 for the additional services added under the First Amendment.
- C. This Second Amendment shall extend the time for Engineer to provide approved services for the Project by forty (40) weekday calendar days from Engineer's receipt of a notice to proceed for Fort Bend County Engineering.
- D. No additional funding shall be available for services provided under the Agreement without prior written consent of County.
- E. Except as modified herein, the Agreement and the First Amendment remain in full force and effect and has not been modified or amended.
- F. If there is a conflict between this Second Amendment, the Agreement and prior amendments, the provisions of this Second Amendment shall prevail.

EXECUTION

This Second Amendment shall become effective upon execution by County.

FORT BEND COUNTY:	
By: Robert E. Hebert, County Judge	May 13, 2019 Date
ATTEST: Juilson	E/X
Dianne Wilson, County Clerk	
APPROVED: By: Richard Stolleis, County Engineer	Date Date
FORT BEND COUNTY ASSISTANCE DISTRICT NO. 1:	
By: Robert E. Hebert, County Judge	May 13, 2014 Date

Mohammad Irfan, P.E., PTOE 5/5/2014 Date

PROGRESSIVE CONSULTING ENGINEERS, PLLC

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in an amount of \$205,968.00 to accomplish and pay the obligation of the Fort Bend County under this contract.

Ed Sturdivant, Fort Bend County Auditor

Exhibit A: Proposal from Engineer dated May 20, 2013



April 15, 2014

Mr. Richard W. Stolleis, P.E. County Engineer 1124-52 Blume Road Rosenberg, Texas 77471

Re: Fee Proposal for Revising the Design and Preparing Metes & Bounds for Additional Right of Way Required for the Proposed Right Turn Lanes on Eastbound Fry Road Approach at Grand Pkwy (SH 99) and Eastbound Westheimer Pkwy Approach at Grand Pkwy, Part of Intersection Geometric Design Improvements at Various Intersections

Dear Mr. Stolleis:

Progressive Consulting Engineers (PCE), PLLC, appreciate the opportunity to submit this proposal for additional engineering and surveying services for the following two intersections:

- 1) Eastbound Fry Road Approach at Grand Pkwy (SH 99)
- 2) Eastbound Westheimer Pkwy Approach at Grand Pkwy (SH 99)

The additional survey will include performing field survey, documenting deed abstracting, establishing parcel maps and preparing metes and bounds description for seven (7) parcels.

PCE will also revise the design plans to increase the storage lengths of the proposed right turn lanes for the above mentioned locations in accordance with the TxDOT's applicable standards and specifications. This revision to the design plans includes revising the design for the roadway turn lanes and respective driveways, traffic control plans (TCP) and signing and pavement marking plans. The construction plans will also include all of the required revisions pertaining to general and construction notes and final quantity estimates.

The fee for additional engineering services new tasks are shown in <u>Attachment-1</u>. Previously approved tasks (After Construction Field Adjustment to Signal Timing Optimization and Traffic Counts) are no longer required. These tasks and their fee are proposed to be replaced by the additional work new.

The additional survey will include performing field survey, documenting deed abstracting, establishing parcel maps and preparing metes and bounds description for seven (7) parcels.

Schedule of Work:

We shall begin work upon receipt of an executed contract and notice to proceed with the Fort Bend County Engineering. We anticipate completion of the additional survey and design work between 30 to 40 weekday calendar days.

16360 Park Ten Pl, Suite #106, Houston, Texas 77084 Phone: 281-630-5485 (c), 281-206-7494 (d), Fax: 281-206-7495 **WWW.PCEHouston.com**



Mr. Richard W. Stolleis, P.E. April 15, 2014 Page 2 of 2

If our scope of services, basis of compensation and schedule of work are acceptable, please provide a contract for engineering services, which we can execute and return to you. We sincerely appreciate the opportunity to serve the Fort Bend County Engineering Department.

I greatly appreciate for the opportunity to serve the Fort Bend County Engineering Department.

Sincerely.

Progressive Consulting Engineers, PLLC

M Zt-and Mohammad Irfan, P.E., PTOE President & Principal Engineer

Attachment-1

SECTION-I, WORK TASK - BASIC SERVICES	Approved (Original)	Proposed
Intersec tion-1: Westheimer Pkwy at Cinco Ranch Blvd		z. opusta
Task 1 - Roadway Design Phase	\$21,725.00	\$21,725.00
Task 2 - Traffic Control Plan (TCP)	\$2,900.00	\$2,900.00
Task 3 - Traffic Signal Modification	\$5,400.00	\$5,400.00
Task 4 - Signing & Pavement Markings	\$1,500.00	\$1,500.00
Task 5 - After Construction Field Adjustments to Signal Timing	\$2,275.00	\$0.00
Sub Total - I	\$33,800.00	\$31,525.00
Intersection-2: Fry Road at Seven Meadows Blvd		
Task 1 - Roadway Design Phase	\$15,775.00	\$15,775.00
Task 2 - Traffic Control Plan (TCP)	\$4,500.00	\$4,500.00
Task 3 - Traffic Signal Modification	\$1,500.00	\$1,500.00
Task 4 - Signing & Pavement Markings	\$1,500.00	\$1,500.00
Sub Total - II	\$23,275.00	\$23,275.00
Intersection-3: Fry Road at Grand Pkwy (SH 99)		
Task 1 - Roadway Design Phase	\$22,500.00	\$22,500.00
Task 2 - Traffic Control Plan (TCP)	\$8,500.00	\$8,500.00
Task 3 - Traffic Signal Modification	\$3,000.00	\$3,000.00
Task 4 - Signing & Pavement Markings	\$3,000.00	\$3,000.00
Task 5 - After Construction Field Adjustments to Signal Timing	\$3,500.00	\$0.00
Task 6 - Roadway Design, TCP, Signing & Pavement Markings Revisions	\$0.00	\$5,775.00
Sub Total - III	\$40,500.00	\$42,775.00
Intersection-4: Westheimer Pkwy at Grand Pkwy (SH 99)		
Task 1 - Roadway Design Phase	\$24,500.00	\$24,500.00
Task 2 - Traffic Control Plan (TCP)	\$3,500.00	\$3,500.00
Task 3 - Traffic Signal Modification	\$1,800.00	\$1,800.00
Task 4- After Construction Field Adjustments to Signal Timing	\$4,150.00	\$0.00
Task 5 - Roadway Design, TCP, Signing & Pavement Markings Revision	\$0.00	\$4,150.00
Sub Total - IV	\$33,950.00	\$33,950.00
Intersection-5: Fry Rd Median S-Concrete Curve at World Food Drive	300,0000	300,700.00
Task 1 - S-Concrete Curve Design Phase	\$7,775.00	\$7,775.00
Task 2 - Traffic Control Plan (TCP)	\$2,775.00	\$2,775.00
Task 3 - Signing & Pavement Markings	\$1,200.00	\$1,200.00
Sub Total - V Intersection-6: Westheiemr Pkwy at Commercial center Dr	\$11,750.00	\$11,750.00
Task 1 - Modify Signal Operation to Flashing Yellow Arrow (FYA)	\$2,500.00	\$2,500.00
Sub Total - VI	\$2,500.00	\$2,500.00
Basic Services Sub Total I thru VI	\$145,775.00	\$145,775.00
SECTION-II, Additional Services	3273,773.00	3173,773.00
Task 1 -Fry Rd Signal Optimization & Field Implementation	\$9,000.00	\$0.00
Task 2 -Westheimer Signal Optimization & Field Implementation	\$6,000.00	\$0.00
Task 3 -Traffic Counts along Fry Rd (Wkday & Wkend)	\$3,700.00	\$0.00
Task 4- Surveying for Additional Right of Way Services	45,.00.00	\$15,393.00
Task 5- Additional Surveying for Inlet & Fire Hydrants	Production productions	\$3,000.00
Additional Services Sub Total	\$18,700.00	\$18,393.00
SECTION-III, Miscellaneous Tasks & Expenses	520,70000	020,000
TxDOT Review, Submittal, Permit, Review Meetings	\$1,875.00	\$1,875.00
Total Direct & Indirect Expenses	\$625.00	\$625.00
Miscellaneous Tasks & Expenses Sub Total-I	\$2,500.00	\$2,500.00
Original Previously Approved Fee	\$166,975.00	\$166,668.00
Oliginal Fleviously Approved Fee	\$100,373.00	7100,000.00



April 1, 2014

Mr. Mohammad Irfan, P.E.

PROGRESSIVE CONSULTING ENGINEERS, PLLC
16360 Park Ten Place, Suite 230
Houston, Texas 77084

Dear Mr. Irfan:

Western Group Consultants is pleased to submit this proposal for surveying services on the above referenced project, as follows:

1 Scope of Services:

- a) Perform field survey, deed abstracting and office services for establishing parcel map and metes and bounds description for (7) seven right-of-way widening parcels.
- b) Provide signed/seal 11 x 17 exhibits and metes and bounds descriptions.

2 Fcc Proposal:

Field surveys, maps, metes and bounds descriptions and set corners

(i) 3-man survey crew @ \$140.00 per hour x 8 hours

(ii) Survey Technician @ \$72.00 per hour x 12 hours

(iii) Deed Abstract @ \$120.00 per parcel

(iv) RPLS @ \$95.00 per hour x 1 hour

Cost per parcel

= \$ 1,120.00

= \$ 864.00

= \$ 120.00

= \$ 95.00

= \$ 2,199.00

7 Parcels x \$2,199.00 per parcel

~ \$15,393.00

3. Schedule:

Survey will be completed within 30 days upon your authorization to proceed

If you are in need of any additional information, please do not hesitate to contact me at (713) 465-6655 or via email: ray a wgesurvey.com

Thank you,

WESTERN GROUP CONSULTANTS

Raymond Rahaman, RPLS

President

and the second second second second second



September 10, 2013

Mr. Mohammad Irfan, P.E.

PROGRESSIVE CONSULTING ENGINEERS, PLLC
16360 Park Ten Place
Suite 106
Houston, Texas 77084

RE: Fort Bend County Traffic Modifications

OUR INVOICE NO. 201328302A

Invoice for preparing two metes and bounds descriptions and exhibit for parcel takings on Fry Road and Westheimer Parkway for period ending August 31, 2013, as follows:

Tasks Completed:
 Prepared two metes and bounds descriptions and exhibit.

2. Cost: Lump Sum

\$3,000.00

AMOUNT DUE

= \$3,000.00

I do hereby certify this to be a true and correct invoice and that the above work has been performed.

Raymond Rahaman, RPLS

1/1/19